No.	
<u>- 101</u>	FILED IN
	4th COURT OF APPEALS SAN ANTONIO, TEXAS
IN THE FOURTH COURT OF APPEAL	Q1/10/2022 1:49:11 AM
IN THE FOURTH COURT OF APPEAL	MICHAEL A. CRUZ Clerk
AT SAN ANTONIO, TEXAS	
IN RE MICHELE CAREY GARCIA	
EMERGENCY PETITION FOR WRIT OF MAN	JDAMUS

TO THE HONORABLE FOURTH COURT OF APPEALS:

NOW COMES Relator, Michele Carey Garcia, and submits this Emergency Petition for Writ of Mandamus, also requesting Emergency Relief filed concurrently with this Emergency Writ of Mandamus.

Emergency Relief Requested - Filed concurrently with this Writ of Mandamus

Respectfully submitted,

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IDENTITY OF PARTIES AND COUNSEL

Relator: Michele Carey Garcia **Counsel for Relators:** MARTINEZ DE VARA LAW FIRM, **PLLC** Adrian A. Spears II adrian@aspearslaw.com Art Martinez de Vara art@mdv-law.com Charles H. Sierra charles@sierraspears.com **PO BOX 377** Von Ormy, TX 78073 Telephone: (210) 622-0323 Fax: (210) 622-4021 **Respondent:** Jaquelyn F. Callanen, Administrator, Bexar County Elections Department **Respondent:** Monica Alcantara, County Chair, Bexar County Democratic Party **Counsel for Respondent:** Martin Golando The Law Office of Martin Golando, PLLC 2326 W. Magnolia San Antonio, Texas 78201 (210) 471-1185 Martin.Golando@gmail.com **Respondent:** The Honorable John D. Gabriel, Presiding Judge in the 225th Judicial District Court of Bexar County, Texas. Rogelio Lopez, Jr. **Real Party in Interest: Counsel for Real Party in** Adam Poncio

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TABLE OF AUTHORITIES

Cases

In re Barnett, 207 S.W.3d 326-329 (Tex. 2006) (orig. proceeding) 11, 12, 13
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STATEMENT OF THE CASE

- 1. Relator Michele Carey Garcia filed an application to be placed on the Democrat primary ballot for the office of Justice of the peace Precinct 4 in opposition to Real Party in Interest Rogelio Lopez, Jr.
- On December 16, 2021, Real Party in interest Rogelio Lopez Jr., filed an 2. Emergency Petition for Writ of Mandamus along with an Emergency Request for Relief in this Court alleging that Relator Michele Carey Garcia failed to properly fill out her application as it was missing the words "Place 1" in the title for the office sought. Specifically, Lopez argues that Relator should have put Justice of the Peace Precinct 4, Place 1 as opposed to Justice of the Peace Precinct 4. See *In re Lopez*, 2021 Tex. App. LEXIS 10092 also attached hereto and incorporated by reference as Exhibits "A" and "B" respectively. Relator has also included her response and the exhibit showing that the Commissioner's Court abolished Place 2 in Precinct 4 attached hereto and incorporated herein as Exhibit "C". (It should be noted that Relator, in her initial response, also included the entire Bexar County budget as additional evidence that the Commissioner's Court dissolved Place 2 in Precinct 4, which we ask the court to take judicial notice as it is over 800 pages in length and is not included herein. This Court has access to this exhibit in the prior mandamus proceeding referenced above.)

- 3. On December 17, 2021, this Court issued an opinion denying Lopez's Mandamus as he had not shown himself to be entitled to the relief sought. *Id.* See *In re Lopez*, 2021 Tex. App. LEXIS 10092 and Opinion attached hereto and incorporated by reference as Exhibit "D".
- 4. Thereafter, on December 27, 2021, Rogelio Lopez Jr., filed a Declaratory Judgment action against the same parties that were included in the prior mandamus action alleging the exact same issues against Relator as was briefed in the prior mandamus action in Cause No. 2021-CI-26103; *Rogelio Lopez, Jr. v. Monica Alcantara, Michele Carey Garcia and Albert Whitby*, in the 225th Judicial District, Bexar County, Texas. See Original Petition attached hereto and incorporated by reference a Exhibit "E". Again, in both lawsuits the same parties and issues against Relator were identical.
- 5. On January 4, 2022, the Trial Court issued an order setting the case for temporary orders hearing which was reset and heard on January 5, 2022. The next day on January 6, 2022, the trial court held an additional hearing to render an order. Unbeknownst to the parties the trial court did not issue a temporary injunction but actually rendered a final order on the merits enjoining the Respondents Alcantara from certifying the Relator's application which effectively removes her name from the ballot. See the Affidavit of Michele Garcia attached hereto and incorporated by reference as Exhibit "G".

- 6. Although the trial court has yet to issue an official order in writing it is necessary to file this mandamus as the mail ballots are going to be printed any day and specifically on January 13, 2022, and pursuant to Texas Election Code § 86.004(b) mail ballots will start being sent to voters requesting them 45 days before the election, which is January 15, 2022.
- 7. Relator now files this petition for writ of mandamus seeking an order requiring Alcantara and Callanen to place Relator's name on the 2022 Democrat primary ballot for the office of Justice of the Peace Precinct 4, Place 1.
- 8. As stated above, it is necessary for emergency consideration of this mandamus due to the short deadlines for having her name placed on the ballot. As stated above, pursuant to Texas Election Code § 86.004(b) mail ballots will start being sent to voters requesting them 45 days before the election, which is January 15, 2022. The election authority will need some lead time before this date to print the ballots, which will be January 13, 2022. Accordingly, Garcia requests emergency consideration of her mandamus petition so that there is time to place her name on the ballot in the event she prevails in this proceeding. Without such emergency consideration this proceeding will become moot and this Court will lose its jurisdiction without an opportunity for Garcia to obtain a ruling on the merits.

STATEMENT OF JURISDICTION

9. This Court has jurisdiction to hear this original proceeding under Article V, § 6 of the Texas Constitution and under Texas Election Code § 161.009 & 273.061.

ISSUES PRESENTED

<u>Issue 1:</u> The Trial Court Abused its discretion in rendering an injunction as the Omission of Place 1 Did Not render her application moot and the Party Chair cannot reject her application and the Bexar County Elections Administrator cannot leave Garcia's name off the ballot.

<u>Issue 2:</u> No Adequate Remedy at Law - Harm

STATEMENT OF FACTS

10. On the morning of December 10, 2021, Garcia arrived at the Bexar County Democratic Party headquarters where they offered to type in the information fields required for her application. Relator reviewed the application, swore to it and signed it and officially filed her application for a place on the 2022 Democrat primary ballot for the office of Justice of the Peace Precinct 4. (See Relator's Application for a Place on the Democratic Party General Primary Ballot and Affidavit of Michele Garcia attached hereto and incorporated by reference as Exhibit "F" and Exhibit "G" respectively). An application for this office in Bexar County must "be accompanied by a nominating petition- containing a 250-signature judicial petition in addition to a filing fee See TEX. ELEC. CODE § 172.021(e). Garcia's application included the required petition signatures as well as the required fee. (See Relator's Application for

- a Place on the Democratic Party General Primary Ballot and Affidavit of Michele Garcia attached hereto and incorporated by reference as Exhibit "F" and Exhibit "G" respectively).
- 11. The official ballot application form submitted by Garcia stated that the office sought was Justice of the Peace Precinct 4. (See Relator's Application for a Place on the Democratic Party General Primary Ballot attached hereto and incorporated by reference as Exhibit "F"). Because the office Garcia sought was for the *only* justice of the peace office located in precinct 4, she quite naturally believed that to be the official title of the office as the Commissioner's Court abolished all other places in Precinct 4 leaving only one Justice of the Peace Office in Precinct 4 period. See Relator Michele Garcia's Response to Mandamus Petition with attachment as well as the Affidavit of Michele Garcia attached hereto and incorporated by reference as Exhibits "C" and "G" respectively.
- 12. Six days later, December 16, 2021, Relator was served with a Petition for an Emergency Writ of Mandamus filed by Rogelio Lopez, Jr., and had less than 12 hours to respond. Relator timely submitted her response to the Fourth Court of Appeals on December 17, 2021, explaining that there was only one office of Justice of the Peace in Precinct 4 and that Place 2 had been eliminated and attached exhibits showing the elimination of all the other places in Precinct 4 leaving only one possible Justice of the Peace Office. (See Relator Michele Garcia's Response to Mandamus Petition

with attachment attached hereto and incorporated by reference as Exhibit "C"). That same day, this Court denied Rogelio Lopez, Jr.'s Petition for Mandamus. See *In re Lopez*, 2021 Tex. App. LEXIS 10092 attached hereto and incorporated by reference as Exhibit "D". See also the Affidavit of Michele Garcia attached hereto and incorporated by reference as Exhibit "G".

- 13. Relator was satisfied that this issue was over, however, on December 27, 2021, Relator was served via email with a notice of hearing for Plaintiff Rogelio Lopez, Jr.'s Application for Temporary Injunction which was filed in the Cause No. 2021-CI-26103; Rogelio Lopez, Jr. v. Monica Alcantara, Michele Carey Garcia and Albert Whitby, in the 225th Judicial District, Bexar County, Texas. The hearing was set for January 4, 2022 at 9:00 am in the Bexar County Presiding District Court. On January 4, 2022, the case was reset for the following day January 5, 2022 at 1:30 pm. On January 6, 2022 at 1:30 pm the trial granted a Permanent Injunction effectively removing Relator's name from the ballot. See the Affidavit of Michele Garcia attached hereto and incorporated by reference as Exhibit "G". See also the Plaintiff's Original Petition and Application for Temporary Restraining Order and/or Temporary and/or Permanent Injunction filed in District Court December 27, 2021, attached hereto and incorporated by reference as Exhibit "E".
- 14. At this point Relator cannot fix her application as the filing deadline has passed to make any changes to her application. Additionally, as stated above, pursuant to

Texas Election Code § 86.004(b) mail ballots will start being sent to voters requesting them 45 days before the election, which is January 15, 2022. The election authority will need some lead time before this date to print the ballots, which will be January 13, 2022. Accordingly, there is no adequate remedy at law by regular appeal because as it stands now, her name will be removed from the ballot and after the Trial Court issues its final written orders, the time will be too late and will become moot and this Court will lose its jurisdiction without an opportunity for Garcia to obtain a ruling on the merits.

ARGUMENT

ARGUMENTS AND AUTHORITIES

I. STANDARD OF REVIEW

- 15. Although the Trial Court bypassed the temporary injunction and issued a final ruling on the merits, this Court may review a petition for writ of mandamus when an expedited appeal would be inadequate, if, for example, the appeal could not be completed before the issue became moot. In a mandamus action, this Court reviews the Trial Court's actions to determine whether it clearly abused its discretion. A trial court has no discretion to determine what the law is. See *In re Francis*, 186 S.W.3d 534, 538.
- 16. In addition, Texas Election Code § 273.061 gives this Court jurisdiction to issue a writ of mandamus to compel the performance of any duty imposed by law in

connection with the holding of an election.

17. As stated above, there is no time to wait for the Trial Court to issue its formal order and for the Relator to file a regular appeal as time is of the essence and the issue will be moot after January 13, 2022 and Garcia's name will be missing from the democratic party's primary election ballot. This Court must allow the Respondents to perform their ministerial duties of submitting Garcia's name for inclusion on the primary ballot.

II. Alcantara Has a Duty to Certify Garcia's Name for Inclusion on the Ballot and Callanen Has a Duty to Include Garcia's Name on The Ballot

- 18. The Election Code provides that the "county chair shall electronically submit . . . the name of each candidate who files an application for a place on the ballot with the chair, including an application for the office of a political party . . . whose application meets the requirements of Section 172.021." TEX. ELEC. CODE § 172.029(a)(1)-(2). "The party chair's duty to determine whether an application for a place on the ballot complies with the statutory requirements is ministerial." *In re Triantaphyllis*, 68 S.W.3d 861, 869 (Tex. App.—Houston [14th Dist.], orig. proceeding), *mand. denied*, 71 S.W.3d 313 (Tex. 2002).
- 19. In this case, as a result of the Trial Court issuing a permanent injunction at a temporary orders hearing effectively blocks Alcantara from performing her ministerial duty to certify Garcia's name and as a result of the short time period, Callanen must

also make sure that Garcia's name is included on the mail ballots which are being printed.

<u>Issue 1 (restated)</u>: The Trial Court abused its discretion in rendering an injunction as the omission of Place 1 did not render her application moot and the Party Chair cannot reject her application and the Bexar County Elections Administrator cannot leave Garcia's name off the ballot.

- 20. The Election Code provides that all candidates for party offices must file a written application with the appropriate filing authority in order to secure a place on the primary ballot. TEX. ELEC. CODE §§ 172.0221; 172.0222; and 141.031.
- 21. In this case, Garcia filed her written application with the appropriate authority, the person designated by the Bexar County Democratic Party to receive such applications. (See Relator's Application for a Place on the Democratic Party General Primary Ballot attached hereto and incorporated by reference as Exhibit "F") The candidate's application should include, among other things, "the office sought, including any place number or other distinguishing number." Texas Election Code § 141.031(a)(4)(C).
- 22. In the prior Mandamus proceedings, the Real Party in Interest, Lopez, cited *In re Francis*, 186 S.W.3d 534, 538 (Tex. 2006) (orig. proceeding) which relied on *Wallace v. Howell*, 707 S.W.2d 876, 877 (Tex. 1986) (orig. proceeding) for the proposition that statutory requirements concerning candidacy for political office are mandatory and are to be strictly enforced." See *Wallace v. Howell*, 707 S.W.2d 876,

- 877 (Tex. 1986) (orig. proceeding). However, the Texas Supreme Court has since abandoned this strict construction and application of the Election Code.
- 23. In *In re Bell*, the Supreme Court considered whether or not petition signatures submitted as part of a candidate's ballot application were invalid because they omitted the signer's city of residence. *In re Bell*, 91 S.W.3d 784, 785 (Tex. 2002) (orig. proceeding). Although the Election Code required a valid petition signature to contain the voter's residence address, which includes the voter's city of residence, *id.* at 785, the Supreme Court determined that the omission of the city did not invalidate the petition signatures. *Id.* at 788. The opinion refused to adopt the reasoning of several courts of appeal that had previously held petition signatures in a candidate's ballot application invalid if they failed to include the voter's city of residence. *Id.* at 786 (collecting cases).
- 24. The opinion relied on the Code Construction Act's direction that the "Legislature is presumed to have intended a 'just and reasonable result' in enacting statutes" and "that courts may consider the object sought to be attained 'in construing statutes." *Id.* at 785 (quoting TEX. GOV'T CODE §§ 311.021(3); .023(1)). Based upon these principles, the Court held that construing the Election Code to "not invalidate a petition signature if the signer provides enough information to allow verification of the signer's voting eligibility for a particular election," even if the required city was not provided, applied "a rationale that furthers one of the principal

purposes behind the Election Code—the prevention of election fraud—and produces a 'just and reasonable result.'" *Id.* at 787. The Supreme Court held that "if the information omitted will not aid in determining the signer's voting eligibility for a particular election, invalidating the signatures is not a 'just and reasonable result' in light of the object 'sought to be attained' by the statute." *Id.*

- 25. In *In re Barnett*, the Supreme Court held that the construction and application of the Election Code adopted in *Bell* also applied to omissions in the application itself. In re Barnett, 207 S.W.3d 326, 327 (Tex. 2006) (orig. proceeding). In Barnett a candidate had omitted the street address from his residence address, including only the city, state and zip code on his application. *Id.* at 326. The filing authority rejected his application on the grounds that it failed to conform to the requirement that the application provide the candidate's residence address or if he has no permanent address then he must describe the location of his residence. Id. at 327 (citing TEX. ELEC. CODE § 141.031(a)(4)(I)). Following its holding in Bell, the Supreme Court concluded that the omission of the statutorily required residence address was not a fatal defect in the candidate's ballot application so long as there was information supplied in the application that would allow the filing authority to determine that the candidate resided in the district applied for. *Id.* at 327-28.
- 26. While the candidate's city, state and zip code provided insufficient information by themselves to determine that the candidate lived in the district, the opinion held

that because "the application contains [the candidate's] voter registration number and that the voter registration records indicate that [he] resides in" the appropriate district, the candidate "provided sufficient information in his application to allow respondents to determine that he resides" in the district. *Id.* at 327-29.

- 27. Put simply, just like the defects in the cases cited above, in this case at bar there is no confusion to the voters or misrepresentation as there is only one possible office of Justice of the Peace located in Precinct 4. As stated above, the Court should not penalize Relator as she listed the only office for Justice of the Peace in Precinct 4. Such omission of the place number is superfluous and not a fatal error that would mislead a voter. Again, the ballot only has one spot for Justice of the Peace in Precinct 4, period, as all other places have been dissolved. To reject Garcias's application for the omission of a place number which is the only office in that Precinct for Justice of the Peace does not further the object sought to be obtained by providing that information in the application, to ensure the voters are not misled, and preventing her candidacy would certainly not be a just and reasonable result. See In re Bell, 91 S.W.3d at 787. There is only one result because there is only one Justice of the Peace office in Precinct 4, period.
- 28. Another principal noted in all the cases and in *Francis* is that a "candidate's 'access to the ballot lies at the very heart of a constitutional republic," the Texas Supreme Court "[s]trictly constru[es] . . . statutory provisions . . . against

ineligibility." In re Green Party of Tex., 630 S.W.3d 36, 37 (Tex. 2020) (orig. proceeding) (citation omitted). Broadly construing "the election code in favor of eligibility and access to the ballot ensures that decisions regarding elected positions 'are made by voters, not technicalities." In re Ramirez, No. 13-18-00031-CV, 2018 WL 774840, at *4 (Tex. App.—Corpus Christi Feb. 2, 2018, orig. proceeding [mand. denied]) (mem. op.) (citation omitted). Both *Bell* and *Barnett* construe the Election Code in such a way as to do justice to the objects sought by the Code as well as to ensure that elections are not decided by technicalities by reaching a just and reasonable result. Additionally, the Francis case also echoes such logic in that if the candidate omissions are not misleading such omission should not render such application invalid especially if such omission could be cured. Again, in this case there was only one Justice of the Peace position in Precinct 4 as all other places were dissolved by the Commissioner's Court. (See Relator Michele Garcia's Response to Mandamus Petition with attachment attached hereto and incorporated by reference as Exhibit "C".) As such, the Trial Court should not have issued an injunction removing Relator from the ballot. Alcantara has a ministerial duty to certify the application, and Callanen has a duty to print the ballots with Garcia's name.

<u>Issue 2(restated):</u> No Adequate Remedy at Law – Harm

29. As stated throughout this brief, although the trial court bypassed the temporary injunction and issued a final ruling on the merits, an expedited appeal, if available,

would be inadequate because the appeal could not be completed before the issue became moot. In addition, § 273.061 of the Texas Election Code gives the Court jurisdiction to issue a writ of mandamus to compel the performance of any duty imposed by law in connection with the holding of an election. As stated above, at this point Relator cannot fix her application as the filing deadline has passed to make any changes to her application. Additionally, pursuant to Texas Election Code § 86.004(b) mail ballots will start being sent to voters requesting them 45 days before the election, which is January 15, 2022. The election authority will need some lead time before this date to print the ballots, which will be on or about January 13, 2022. Accordingly, there is no adequate remedy at law by regular appeal as it stands now her name will be removed from the ballot and after the Trial Court issues its final written orders, the time will be too late and will become moot and this Court will lose its jurisdiction without an opportunity for Garcia to obtain a ruling on the merits. Harm will be imminent as Garcia's name will be missing from the Democratic Party Primary Election Ballot. This Court must allow the Respondents to perform their ministerial duties of submitting Garcia's name for inclusion on the primary ballot.

PRAYER

30. Based upon the foregoing, Relator, respectfully requests this Court to order Respondent, Alcantara and Callanen, to certify and print Relator's name for inclusion

on the 2022 Democratic Party Primary Election Ballot for the only office of the Justice of the Peace, Precinct 4.

Respectfully submitted,

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By: /s/: Adrian A. Spears II

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ATTORNEYS FOR RELATOR MICHELE CAREY GARCIA

APPELLATE RULE 9.4(i)(3) CERTIFICATE OF COMPLIANCE

Counsel hereby certifies that this document was computer generated using 14-point Times New Roman typeface and that this document, excluding those portions enumerated in Appellate Rule 9.4(i)(1), contains 1,948 words, based upon the word count of the computer program used to generate the brief.

/s/: Adrian A. Spears II
Adrian A. Spears II

APPELLATE RULE 52.3(J) CERTIFICATION

I certify that I reviewed the Emergency Petition for Writ of Mandamus that I filed on behalf of Michele Garcia on this day and I concluded that every factual statement in the petition is supported by competent evidence included in the appendix or record.

/s/: Adrian A. Spears II
Adrian A. Spears II

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of this document was served upon the below named according to the Texas Rules of Appellate Procedure on January 10, 2022 in the following manner.

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/s/: Adrian A. Spears II
Adrian A. Spears II

No
 N THE FOURTH COURT OF APPEALS

AT SAN ANTONIO, TEXAS

IN RE MICHELE CAREY GARCIA

EMERGENCY PETITION FOR WRIT OF MANDAMUS

Emergency Relief Requested - Filed concurrently with this Writ of Mandamus

APPENDIX

TO THE HONORABLE JUDGE OF SAID COURT:

The following exhibits are incorporated by reference into the Emergency Petition for Writ of Mandamus:

- Exhibit A: Rogelio Lopez, Jr.'s Emergency Petition for Writ of Mandamus in Cause No. 04-21-00558-CV, In Re Rogelio Lopez, Jr. dated December 16, 2021.
- Exhibit B: Rogelio Lopez, Jr.'s Emergency Motion for Temporary Relief and/or for Stay Pending Ruling on Emergency Petition for Writ of Mandamus and/or Petition for Writ of Mandamus in Cause No. 04-21-00558-CV, In Re Rogelio Lopez, Jr. dated December 16, 2021.
- Exhibit C: Michele Garcia's Response to Petition for Writ of Mandamus and Emergency Motion for Extraordinary Relief filed by Rogelio Lopez, Jr. in Cause No. 04-21-00558-CV, In Re Rogelio Lopez, Jr. dated December 17, 2021.

Exhibit D: Order in Cause No. 04-21-00558-CV; In re Rogelio Lopez, Jr., Relator, Original Proceeding, dated December 17, 2021

Exhibit E: Plaintiff's Original Petition and Application for Temporary Restraining Order and/or Temporary and/or Permanent Injunction in Cause No. 2021CI26103; Rogelio Lopez, Jr. v. Monica Alcantara, Michele Carey Garcia and Albert Whitby; in the 225th Judicial District Court, Bexar County, Texas filed December 27, 2021.

Exhibit F: Relator Michele Garcia's Application for a Place on the Democratic Party General Primary Ballot dated December 10, 2021.

Exhibit G: Affidavit of Michele Garcia dated January 9, 2022.

EXHIBIT "A"

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NO. _____

FILED IN
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MICHAEL A. CRUZ
Clerk

* * *

IN THE COURT OF APPEALS

FOURTH SUPREME JUDICIAL DISTRICT

SAN ANTONIO, TEXAS

* * *

IN RE ROGELIO LOPEZ, JR., BEXAR COUNTY JUSTICE OF THE PEACE, PRECINCT 4, PLACE 1, RELATOR

* * * *

EMERGENCY PETITION FOR WRIT OF MANDAMUS

* * * *

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ATTORNEYS FOR RELATOR

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orig. proceeding)
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Senate Committee on State Affairs, Bill Analysis, Tex. H.B. 1135, 82d Leg., R.S. (2011)
TEX. ELEC. CODE Ann. § 141.031(a)(3)
TEX. ELEC. CODE Ann. § 141.031(a)(3)
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04-21-00558-CV **NO.**

IN THE COURT OF APPEALS FOURTH SUPREME JUDICIAL DISTRICT SAN ANTONIO, TEXAS

* * *

IN RE ROGELIO LOPEZ, JR. BEXAR COUNTY JUSTICE OF THE PEACE, PRECINCT 4, PLACE 1

Relator

* * * *

EMERGENCY PETITION FOR WRIT OF MANDAMUS

TO THE HONORABLE COURT OF APPEALS:

Relator ROGELIO LOPEZ, JR., BEXAR COUNTY JUSTICE OF THE PEACE, PRECINCT 4, PLACE 1 ("Relator"), petitions this court for leave to file and for this emergency writ of mandamus against Respondent/Real Party in Interest, Monica Alcantara, Bexar County Democratic Party Chairwoman ("Alcantara").

PARTIES, JURISDICTION, AND RECORD

- 1. Relator is Rogelio Lopez, Jr., Bexar County Justice of the Peace, Precinct 4, Place 1. Relator is represented by Adam Poncio, PONCIO LAW OFFICES, P.C., 5410 Fredericksburg Road #109, San Antonio, Texas 78229-3550.
- 2. Respondent and Real Party in Interest is Monica Alcantara, Bexar County Democratic Party Chair, Bexar County Democratic Party Headquarters, 1844 Fredericksburg Rd, San Antonio, Texas 78201. The two candidates for office at issue are Albert Whitby and candidate Michele Carey Garcia. Counsel will supplement with addresses and contact information.
- 3. This court has mandamus jurisdiction over this proceeding under TEX. ELEC. CODE § 273.061, which authorizes this court to issue a writ of mandamus "to compel the performance of any duty imposed by law in connection with the holding of an election... regardless of whether the person responsible for performing the duty is a public officer."
- 4. This court has mandamus jurisdiction over this proceeding under TEX. ELEC. CODE § 273.061, which authorizes this court to issue a writ of mandamus "to compel the performance of any duty imposed by law in connection with the holding of an election... regardless of whether the person responsible for performing the duty is a public officer. " Moreover and/or alternatively, mandamus issues to correct a clear abuse of discretion, or the violation of a duty imposed by law, where there is no adequate remedy by appeal. *In re Daisy Mfg. Co.*, 17 S.W.3d 654, 658 (Tex. 2000)

(orig. proceeding) (per curiam).

- 5. Despite being informed of defects in the applications for office, Chairwoman Alcantara has disregarded her obligation to reject the applications for office filed by candidates for Justice of the Peace Albert Whitby and candidate Michele Carey Garcia. The respective "Application for a Place on the General Primary Ballot" filed by each candidate is defective pursuant to the Texas Election Code, and accordingly must be rejected. Each respective application fails to meet the requirements prescribed in the Texas Election Code.
- 6. Mr. Whitby's application was accompanied by 39 pages of petitions, all of which list the candidate office as "Justice of the Peace, Precinct 4." All the petitions failed to include the place number as "Place 1." This is a defect in each of these petition pages, which renders each of them invalid.
- 7. Ms. Garcia's application listed the office as "Justice of the Peace, Precinct 4" and failed to include the place number as "Place 1." This is also a defect which also renders the application invalid.
- 8. The Texas Election Code provides "If an application does not comply with the applicable requirements, the authority **shall** reject the application. " TEX. ELEC. CODE § 141.032 (emphasis added). While Chairwoman Alcantara has been informed of the defect in the applications, she has failed and refused to reject the applications as required by law.
- 9. The record in this original proceeding consists of an Appendix containing verified copies of the pertinent documents.

10. Moreover, by separate motion, Relator is requesting an emergency stay in the underlying matter. It is requested that the certification to the secretary of state for the ballot in the race at issue, any drawing for placement on the ballots for respective candidates scheduled for and held on December 15, 2021, be nullified and/or that the applications be deemed or ordered rejected and that a new drawing be held for placement on the ballot. Furthermore and/or alternatively, it is requested that placing the respective candidates on the ballot be stayed until this matter can be resolved. The requested emergency stay is necessary to maintain the status quo of the parties and to preserve the Court's jurisdiction to consider the merits of the underlying orders and/or the mandamus request filed. *In re Reed*, 901 S.W.2d 604, 609 (Tex. App. -- San Antonio 1995, orig proceeding). As set out above, an emergency order is necessary in order to prevent the improper conduct of the Real Party In Interest, to order that she comply with her duties to reject the applications and to maintain this Court's jurisdiction while a determination is made regarding any abuse of discretion or failure of Alcantara to perform her statutory obligations and/or for this court to determine the merits.

STATEMENT OF REQUESTED RELIEF AND COMPELLING CIRCUMSTANCES

1. PRELIMINARY STATEMENT AND ISSUES

11. This is a petition for writ of mandamus requesting that Chairwoman Alcantara be compelled to fulfill her duties and obligation to reject the applications for office filed by candidate Albert Whitby and/or candidate Michele Carey Garcia, as required by the Texas Election Code. The respective "Application for A Place on the General Primary Ballot" filed by each candidate is defective pursuant to the Texas Election Code, and accordingly must and **shall** be rejected, as required by the Election Code. Each respective application fails to meet the requirements prescribed in the Texas Election Code.

2. ARGUMENT, RELEVANT FACTS AND AUTHORITIES The Albert Whitby Application For A Place on the General Primary Ballot

12. The Application for candidate Whitby is defective pursuant to the Texas Election Code, and accordingly must be rejected. The Application fails to meet the requirements prescribed in the Texas Election Code. Mr. Whitby's application was accompanied by 39 pages of petitions, all of which list the candidate office as "Justice of the Peace, Precinct 4." (Appendix Exhibit 1). All the petitions failed to include the place number as "Place 1." This is a defect in each of these petition pages, which renders each of them invalid. As the Democratic Party Chair and the designated filing authority, Alcantara must reject the application but has failed to do so, even though she was informed of the defects (See Notification Letters Attached as Exhibit

2). The Election Code provides as much, providing "If an application does not comply with the applicable requirements, the authority **shall** reject the application...." TEX. ELEC. CODE § 141.032 (emphasis added).

The Garcia Application For A Place on the General Primary Ballot

- 13. Similarly, candidate Michele Carey Garcia's "Application for a Place on the General Primary Ballot" filed on December 10, 2021, is defective pursuant to the Texas Election Code, and accordingly must be rejected. The Garcia application lists the candidate office as "Justice of the Peace, Precinct 4" but failed to include the place number as "Place 1" (Appendix Exhibit 3) As a result, the Democratic Party Chair and the designated filing authority must reject the application. The Application fails to meet the requirements prescribed in the Texas Election Code. Nevertheless, despite being informed of the defect, Alcantara has also failed to reject the Garcia application as required.
 - 14. With regard to both applications, section 141.031 provides that:
 - (a) A candidate's application for a place on the ballot that is required by this code must:
 - (4) include:
 - (c) the office sought, including any place number or other distinguishing number ...

TEX. ELEC. CODE § 141.031.

Applicable Law Establishes That the Applications Must Be Rejected

15. The Texas Supreme Court reviewed an identical case, and found that the failure to list the place number in each of the petition pages constituted a defect in

each of those petition pages, which rendered all of those pages invalid. *See In re Francis*, 186 S.W.3d 534, 538 (Tex. 2006) (orig. proceeding) (omitting Place 8 constituted a "defect" and an "omission of the statutory requirements..."). Regarding the candidate's omission of "Place 8" on the petitions, the Texas Supreme Court went on to say:

"We agree that the omission of any statutorily required information on a petition renders signatures on that petition invalid. Section 172.027 of the Election Code says that a candidate's place number 'must appear at the top of each page of a petition.' Section 141.063(a)(4) says that a signature on a petition is invalid unless 'each statement that is required by this code . . . appears, at the time of signing, on the page on which the signature is entered.' As the Code requires a place number on each page, and declares invalid any signatures on pages without it, the trial court correctly concluded that all but 27 signatures from the district involved in this challenge are invalid."

In re Francis, 186 S.W.3d 534, 538 (Tex. 2006).

Moreover, the court went on to say:

We have strictly enforced mandatory statutory requirements for political candidacy in the past. See, e.g., Wallace v. Howell, 707 S.W.2d 876, 877 (Tex.1986) (disqualifying candidate who filed application for two judicial positions and conditioned withdrawal from one on qualification for the other); Painter v. Shaner, 667 S.W.2d 123, 125 (Tex. 1984) (noting "statutory mandates" should be "strictly construed"); Brown v. Walker, 377 S.W.2d 630, 632 (Tex.1964) (disqualifying candidate who mailed application by regular mail because applications sent before, but received after, the deadline must be sent via certified or registered mail); Canady v. Democratic Executive Comm. of Travis County, 381 S.W.2d 321, 324 (Tex.1964) (disqualifying candidate who listed his legal address as one outside the relevant precinct); Burroughs v. Lyles, 142 Tex. 704, 181 S.W.2d 570, 573 (1944)."

In re Francis, 186 S.W.3d 534, 538 at fn 15 (Tex. 2006).

The law is clear that because all 39 of Mr. Whitby's petitions lack the "Place 1" designation, all 39 pages are invalid. Accordingly, his application must be rejected.

- 16. Mr. Whitby's omission was not due to his lack of knowledge. He was clearly aware that he was making an application for the Justice of the Peace Precinct 4, Place 1 position, as his "Application for a Place on the General Primary Ballot" clearly designates the office sought as "Bexar County Justice of the Peace Precinct 4, Place 1." The Bexar County Elections Department clearly recognizes that these are two distinct offices for Justice of the Peace. Further, the ballot from the 2018 General Election also clearly identifies the office designation as the "Justice of the Peace, Precinct 4, Place 1." *See* Media Report, Bexar County Texas, Official Reports (Appendix Exhibit 4).
- application should also be similarly rejected. "[C]andidates must bear ultimate responsibility for filing a proper application and petition." *In re Francis*, 186 S.W.3d 534 at 541 (Tex.2006) (orig. proceeding). Each candidate is responsible for the contents of their application. *See Id.* at 543 (holding that former argued availability of limited opportunity to cure "does not absolve candidates of the need for diligence and responsibility in their filings; party chairs must only notify them of defects, not do their work for them"); *see also Escobar v. Sutherland*, 917 S.W.2d 399, 405 (Tex. App. -- El Paso 1996, orig. proceeding) ("[I]n the end, it is the candidate who must insure that the application complies with established law. If the candidate does not, he is at risk of having his candidacy rejected; if not by the County Chair, then by the courts."); *Risner v. Harris Cnty. Republican Party*, 444 S.W.3d 327, 344-345 (Tex. App. 2014).

- 18. Texas courts have used a simple distinction to determine who should suffer the consequences of failing to follow the election code. If the failure to comply with the election code is something within the candidate's control, as in the present case, the candidate is kept off the ballot. *In re Parsons*, 110 S.W.3d 15, 16 (Tex. App. -- Waco 2002, no pet.), citing *Gibson*, 960 S.W.2d at 421. The error in both of the applications involved herein were errors by the candidates, particularly because of their late filing as in the *Parsons* case. There is no contention the errors involved herein were that of an election official.
- 19. Under these facts, Chairwoman Alcantara has no choice but to reject the applications, as her duty is both mandatory and ministerial, but she has failed to do so. The Texas Supreme Court has emphasized that the sections of the Election Code dealing with candidacy for political office are mandatory and are to be strictly enforced. *Wallace v. Howell*, 707 S.W.2d 876, 877 (Tex. 1986) (orig. proceeding). "The party chair's duty to determine whether an application for a place on the ballot complies with the statutory requirements is ministerial." *In re Triantaphyllis*, 68 S.W.3d 861, 869 (Tex. App. -- Houston [14th Dist.] 2002, orig. proceeding). The Texas Supreme Court has further made it clear that "[i]fa candidate's application does not comply with the Code's requirements, the party chair has no discretion but to reject the application and remove the candidate's name from the candidate list. TEX. ELEC. CODE §§ 141.032(e), 172.029(d); *Escobar v. Sutherland*, 917 S.W.2d 399 at 406 (Tex. Civ. App. -- El Paso 1996, orig. proceeding); *In re Gamble*, 71 S.W.3d 313 (Tex. 2002). Thus, under both the Election Code and the Texas Supreme Court's

interpretation of the Code, Chairwoman Alcantara, as the Chair of the Bexar County Democratic Party must reject Mr. Whitby's and Ms. Garcia's application.

- 20. Moreover, should Chairwoman Alcantara determine that she should, as the Democratic Party Chair, wish to afford an opportunity for cure, she has no authority to accept an amended application after the filing deadline. The Texas Election Code, § 172.0222 provides that:
 - (I) After the filing deadline:
 - (1) a candidate may not amend an application filed under Section 172.021; and
 - (2) the authority with whom the application is filed may not accept an amendment to an application filed under Section 172.021.

Tex. Election Code Sec. 172.0222 (emphasis added).

The Election Code Prohibits Amendments or Corrections After the Filing Deadline

21. Borrowing largely from the opinion in *Risner v. Harris County Republican Party*, 444 S.W.3d 327 (Tex. App. -- Houston [1st Dist.] 2014, no pet.), it is clear the Chairwoman and/or any court may not allow for the correction or amendment of any application; they must be rejected. As set out, prior to 2011, the Texas Election Code neither specifically authorized nor specifically prohibited amendments to applications for positions on a ballot after the filing deadline for such applications. Instead, the Code merely required that a candidate's application "be timely filed with the appropriate authority." TEX. ELEC. CODE Ann. § 141.031(a)(3). The Code further required a party chair to review the application within either five days or "as soon as practicable," to reject any non-compliant

application, and to immediately notify the candidate of the reason for the rejection. Id. § 141.032(a), (b), (c), (e).

22. In In re Gamble, In re Francis, and In re Holcomb, the Texas Supreme Court construed the statutory provisions, in conjunction with the statutory authorization in Texas Election Code section 273.081 to grant equitable relief to persons being harmed by violations of the code, to authorize courts to grant equitable relief and to allow a candidate whose application contained facial defects to cure his or her defective application after the filing deadline when the party chair failed to fulfill his or her statutory obligation to timely review the application and notify the candidate of the defects. See In re Holcomb, 186 S.W.3d 553, 555 (Tex.2006) (orig. proceeding); *In re Francis*, 186 S.W.3d 534, 541-43 (Tex.2006) (orig. proceeding); *In re Gamble*, 71 S.W.3d at 317-19. The supreme court further stated, however, that such "candidates should have the same opportunity to cure as they would have had before the deadline passed." In re Holcomb, 186 S.W.3d at 555 (emphasis added); see *In re Francis*, 186 S.W.3d at 541, 542 ("Candidates should have the same opportunity to cure as a proper review before the filing deadline would have allowed them"; stating that code allows "party chairs to focus on facial defects and call for correction before the filing deadline"; In re Gamble, 71 S.W.3d at 318 ("There would be no purpose to the duty to notify the prospective candidate of defects in his or her application if the intent was not to allow an opportunity to cure those defects, particularly if the defects can be corrected before the filing deadline"; "under limited circumstances, statutory deadlines may be extended to correct an official's violation of a statutory duty"; and denying relief because "[t]here was no court decision entitling Judge Gamble to amend his application after the statutory deadline"). Consequently, the Election "Code and well-established Texas law" did not, in the absence of a court order, "permit[] a party officer to allow a candidate who filed a defective application before the filing deadline to amend his application after the deadline so the party chair can place the candidate on the ballot." *In re Gamble*, 71 S.W.3d at 319 (Baker, J., concurring).

- 23. In 2011, however, the legislature amended section 141.032 of the Election Code by adding Subsection (g), to state that "a candidate may not amend an application filed under Section 141.031" and "the authority with whom the application is filed may not accept an amendment to an application filed under Section 141.031" after the filing deadline. *See* Act of May 19, 2011, 82d Leg., R.S., ch. 254, § 1, 2011 Tex. Gen. Laws 834, 834 (codified at Tex. Elec. Code Ann. § 141.032(g)).
- 24. When construing a statute, the court's ultimate goal is to effectuate legislative intent. *See Fresh Coat, Inc. v. K-2, Inc.*, 318 S.W.3d 893, 901 (Tex.2010); *Marks v. St. Luke's Episcopal Hosp.*, 319 S.W.3d 658, 663 (Tex.2010). Under the plain meaning rule, the court reviews the text of the statute, and must determine the legislature's intent from the plain meaning of the words chosen "unless there is an obvious error such as a typographical one that resulted in the omission of a word or application of the literal language of a legislative enactment would produce an absurd result." *Fleming Foods of Tex., Inc. v. Rylander*, 6 S.W.3d 278, 284 (Tex.1999)

(internal citations omitted); see also Tex. Gov't Code Ann. § 311.011(a) (West 2013); Fresh Coat, Inc., 318 S.W.3d at 901; Cornyn v. Universe Life Ins. Co., 988 S.W.2d 376, 378-79 (Tex. App. -- Austin 1999, pet. denied).

25. After the 2011 amendments, the express, unambiguous terms of section 141.032(g) of the Election Code prohibits a candidate from amending an application after the filing deadline and prohibits a party chair from accepting such an amendment. See Tex. Elec. Code Ann. § 141.032(g); Tex. Gov't Code Ann. § 311.016(5) (West 2013) (" 'May not' imposes a prohibition and is synonymous with 'shall not.' "). The statute does not contain an obvious error, and application of the literal language of the statute does not produce an absurd result. See Fleming, 6 S.W.3d at 284. Moreover, in the context of the Election Code, the meaning of the statute is clear: a candidate's application must be timely filed with the appropriate authority by the filing deadline and a candidate may only amend the application during the time period in which the candidate is allowed to file a new petition. See TEX. ELEC. CODE Ann. § 141.031(a)(3) (requiring candidate to timely file application), § 141.032(a), (e), (g) (requiring authority with whom application is filed to review application for compliance with procedures, including timeliness of filing, requiring application not timely filed to be rejected, and prohibiting amendments to application after filing deadline). Therefore, the meaning of the statute-candidates are prohibited from filing, and party chairs are prohibited from accepting, amendments to applications after the filing deadline-is clear, and the court may not disregard the express terms of the statute. See Gonzalez v. Guilbot, 315 S.W.3d 533, 541

(Tex.2010) ("Our chief aim is to determine and give effect to the Legislature's intent, and where the statutory language is straightforward, it is determinative."); *Fleming*, 6 S.W.3d at 284.

26. Further, when interpreting an amendment to a statute, the court must presume that the legislature intends to change the law. See Adams v. Tex. State Bd. of Chiropractic Exam'rs, 744 S.W.2d 648, 656 (Tex. App. – Austin 1988, no writ); Schott v. Leissner, 659 S.W.2d 752, 754 (Tex. App. -- Corpus Christi 1983, writ ref'd n.r.e.). The statute was amended by House Bill 1135. Nothing in the legislative history of the bill contradicts the presumption that the legislature intended to change the law. The analysis of the House Committee Report states that the bill "amends the Election Code to prohibit a candidate for public office from amending an application for a place on the ballot ... and to prohibit the authority with whom the application or petition is filed from accepting an amendment to the application or petition after the filing deadline." House Committee on Elections, Bill Analysis, Tex. H.B. 1135, 82d Leg., R.S. (2011). In addition, according to the bill analysis of the bill as engrossed, the bill "amends current law relating to an application to run for political office." Senate Committee on State Affairs, Bill Analysis, Tex. H.B. 1135, 82d Leg., R.S. (2011). Because the court must presume that the legislature was aware of the aforementioned case law, which only allowed a candidate to file an amendment to his or her application for a position on the ballot after the filing deadline if the candidate obtained a court decision entitling the candidate to file such an amendment, the court must conclude that the legislative history, indicating that the amendment to section

141.032 "amends current law," supports the presumption that the legislature intended to change the existing law. *See In re Allen*, 366 S.W.3d 696, 706 (Tex.2012) (orig. proceeding) ("We presume that the Legislature is aware of relevant case law when it enacts or modifies statutes."); *In re Gamble*, 71 S.W.3d at 319 (denying relief for candidate seeking to remain on ballot because "[t]here was no court decision entitling Judge Gamble to amend his application after the statutory deadline"); *Acker v. Tex. Water Comm'n*, 790 S.W.2d 299, 301 (Tex.1990) ("A statute is presumed to have been enacted by the legislature with complete knowledge of the existing law and with reference to it.").

27. This court must conclude that the plain meaning of the statute is unambiguous, that the legislature intended to change the law, and that the legislature enacted subsection 141.032(g) with the intent to prohibit a candidate from filing, and the authority with whom an application is filed from accepting, an amended application for a place on the ballot after the statutory filing deadline. As a result, the court must construe subsection 141.032(g) to prohibit the trial court or Chairwoman in this case from granting a candidate an opportunity to file an amended application and from requiring a party chair to accept an amended application after the filing deadline. *See In re Wilson*, 421 S.W.3d 686, 689 (Tex. App. – Fort Worth 2014, orig. proceeding) (denying petition for writ of mandamus to compel chair of Tarrant County Democratic Party to include candidate's name on ballot and stating that "it appears that the legislature has foreclosed the opportunity to cure any defects in an application or petition discovered after the filing deadline").

28. The statutes and the caselaw are clear that in this case, Chairwoman Alcantara, as the Bexar County Democratic Chair, has a mandatory and ministerial duty to reject Mr. Whitby's and Ms. Garcia's application and must refrain from allowing and/or providing for correction or amendment of the submitted applications.

3. RELIEF REQUESTED AND REQUEST FOR EMERGENCY STAY

- 29. Relator requests leave to file this Petition For Writ of Mandamus.
- 30. Relator further and alternatively request that the court enter temporary orders staying any placement of the two candidates addressed herein, candidate Whitby and/or candidate Garcia, from being placed on the ballot for the election for Bexar County Justice of the Peace, Precinct 4, Place 1, until this matter is determined.
- 31. Because the certification of the ballot must be filed with the Secretary of State by close of business on December 17, 2021, it is requested that the court stay any certification of the ballot by Alcantara or any representative of her office for Bexar County Justice of the Peace, Precinct 4, Place 1, staying the placement on the ballot or drawing for a place on the ballot for the candidates and/or temporarily abating or preventing their certification or placement on the ballot or drawing for their place on the ballot, until such time as this court can review and decide this mandamus action.
- 32. Relator further and alternatively requests that this Court issue a writ of mandamus to the Chairwoman Alcantara ordering Alcantara to reject the applications for candidate Whitby and/or candidate Garcia in order to allow for proper review by the court and/or, alternatively, to order that she reject the applications, in whole or

in part, as this court may deem appropriate, and for all other relief, temporary or otherwise, this court deems appropriate.

Respectfully submitted,

PONCIO LAW OFFICES A Professional Corporation 5410 Fredericksburg Road #109 San Antonio, Texas 78229-3550 Telephone: (210) 212-7979 Facsimile: (210) 212-5880

/s/ Adam Poncio

BY:

Adam Poncio State Bar No. 16109800 salaw@ponciolaw.com

ATTORNEYS FOR RELATOR

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document has been served upon all parties by the court's filing system, hand delivery and/or email as follows:

Ms. Monica Alcantara - by Hand Delivery Chairwoman, Bexar County Democratic Party 1844 Fredericksburg Road San Antonio, Texas 78201

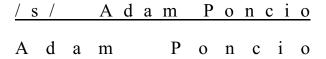
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Michele Carey Garcia - michelegarcia64@gmail.com c/o Bexar County Democratic Party 1844 Fredericksburg Road San Antonio, Texas 78201

on this 16th day of December, 2021

CERTIFICATE OF COMPLIANCE

Pursuant to Texas Rule of Appellate Procedure 9.4(i)(3), I hereby certify that this petition contains 5,079 words, excluding the words not included in the word count under the rules, or 17 pages, excluding the pages not included in the page count under the rules, pursuant to Texas Rule of Appellate Procedure 9.4(i)(1). This is a computer generated document created in Word Perfect X8, using 14-point typeface for all text, except for footnotes which are in 12-point typeface. In making this certificate of compliance, I am relying on the word count provided by the software used to prepare the document.



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Angela Zepeda on behalf of Adam Poncio Bar No. 16109800 angelazepeda@ponciolaw.com Envelope ID: 60094751

Status as of 12/16/2021 2:16 PM CST

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NO. 04-21-00558-CV

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MICHAEL A. CRUZ
Clerk

IN THE COURT OF APPEALS

* * *

FOURTH SUPREME JUDICIAL DISTRICT

SAN ANTONIO, TEXAS

* * *

IN RE ROGELIO LOPEZ, JR.,
BEXAR COUNTY JUSTICE OF THE PEACE, PRECINCT 4, PLACE 1
RELATOR

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APPENDIX TO EMERGENCY PETITION FOR WRIT OF MANDAMUS

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ATTORNEYS FOR RELATOR

December 16, 2021

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PETITION IN LIEU OF A FILING FEE and/or PETITION FOR JUDICIAL OFFICE (for use in a primary election)

(PETICIÓN PRESENTADA EN SUSTITUCIÓN DEL PAGO DE DERECHOS DE INSCRIPCIÓN y/o PETICIÓN PARA UN PUESTO OFICIAL JUDICIAL – para efectos de elecciones primarias)

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Signing the petition of more than one candidate for the same office in the same election is prohibited. (Se prohibe firmar la petición de más de un candidato para el mismo puesto oficial en la misma elección.) COMPLETE ALL BLANKS. (LLENE TODOS LOS ESPACIOS EN BLANCO.) This statement MUST be read to each person before signing the petition. (ES OBLIGATORIO leer la siguiente declaración a todos los firmantes antes de que la suscriban.) "I know that the purpose of this petition is to entitle Albert whiting to have their name placed on the ballot for the office of Justice of the place "I know that the purpose of this petition is to entitle #17267 67 100 the form the first of the purpose of this petition is to entitle #17267 67 100 the form the first of the purpose of this petition. I understand that by signing this petition I become ineligible to vote in a primary election or participate in a convention of another party, including a party not holding a primary election, during the voting year in which this primary election is held." (Reconozco que el objeto de la presente petición es facultar a party not party of the purpose of this petition is to entitle the purpose of this petition is to entitle purpose of the purpose of this petition is to entitle purpose of the purpose of this petition is to entitle purpose of the petition is to entitle Date Signed Signature Printed Name Residence Address (Including City, Texas, Zip) (Feeba de Firma) County Voter VUID Number⁴ (Nombre en letra de molde) (Dirección de Residencia (Incluye Ciudad, Estado, Código Postal)) Date of Birth4 (Núm de VUID de Votente) AFFIDAVIT OF CIRCULATOR (DECLARACIÓN JURADA DE LA PERSONA QUE HACE CIRCULAR LA PETICIÓN)⁵
(CONDADO DE)

BEFORE ME, the undersigned, on this 12/13/21 (date) personally appeared (ANTE MI, el/la suscrito(a), en STATE OF TEXAS (ESTADO DE TEJAS), COUNTY OF (CONDADO DE)

BEFORE ME, the undersigned, on this 12/13/21 (date) personally appeared (ANTE MI, el/la suscrito(a), en esta (feeha) compareció) (Incomplete de la persona que hizo circular la petición) who being duly sworn, deposes and says: "I called each signer's attention to the above statements and read them to the signer before the signer affixed their signature to the petition. I witnessed the affixing of each signature. The correct date of signing is shown on the petition. I verified each signer's registration status statements and read them to the sugger before the signer affixed their signature of the person whose name is signed and that the corresponding information for each signer is correct," (quien, habiendo prestado el juramento correspondiente, declaró y dijo: "Llamé la atención de cada firmante sobre la declaración citada y se la lei antes de que la suscribiera. Afestigüé constitura, y la fecha correcta de las firmas consta en la petición. Verifiqué la situación de cada firmante en la concessiona en la petición. Verifiqué la situación de cada firmante en la concessiona en la petición. Verifiqué la situación de cada firmante en la concessiona en la petición. Verifiqué la situación de cada firmante en la concessiona en la petición. Verifiqué la situación de cada firmante en la concessiona en la petición. Verifiqué la situación de cada firmante en la concessiona en la petición. Verifiqué la situación de cada firmante en la concessiona en la petición. Verifiqué la situación de cada firmante en la concessiona en la petición. Verifiqué la situación de cada firmante en la concessiona en la petición. Verifiqué la situación de cada firmante en la concessiona en la petición de cada firmante en la concessiona en la petición. Verifiqué la situación de cada firmante en la concessiona en la petición de cada firmante en la concessiona en la petición de cada firmante en la concessiona en la petición de cada firmante en la concessiona en la petición de cada firmante en la concessiona en la petición de cada firmante en la concessiona en la petición de cada firmante en la concessiona en la petición de cada firmante en la concessiona en la petición de cada firmante en la concessiona en la petición de cada firmante en la concessiona en la petición de cada firmante en la concessiona en la petición de cada firmante en la concessiona en la petición de cada firmante en la concessiona en la petición de cada firmante en la concessiona en la petición de cada firmante en la concessa en la petición de cada firmante en la concessiona en la petic Notary Rublic State of Texas Signature of circulator (Firma de la persona que hizo circular la perición) Signature of officer administering path (firm del/de la funcionario) que le tomo juramento) Comm. Expires 11-09-2025 Title of officer administering oath (Tite INSTRUCTIONS AND POOTNOTES ON BACK (AL DORSO: INSTRUCCIONES Y ANOTACIONES) cia fetate hadine ionariditota revol Diul 281 10139

PETITION IN LIEU OF A FILING FEE and/or PETITION FOR JUDICIAL OFFICE (for use in a primary election)

(PETICIÓN PRESENTADA EN SUSTITUCIÓN DEL PAGO DE DERECHOS DE INSCRIPCIÓN y/o

PETICIÓN PARA UN PUESTO OFICIAL JUDICIAL — para efectos de elecciones primarias) Name of Circulator 1 inthity Page 1

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Notary Public, State of Texas Comm. Expires 07-18-2023 Notary ID 124522846

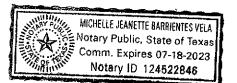
PETITION IN LIEU OF A FILING FEE and/or PETITION FOR JUDICIAL OFFICE (for use in a primary election) (PETICIÓN PRESENTADA EN SUSTITUCIÓN DEL PAGO DE DERECHOS DE INSCRIPCIÓN y/o

PETICIÓN PARA UN PUESTO OFICIAL JUDICIAL - para efectos de elecciones primarias)

Name of Circulator Alburt bullion

Signing the petition of more than one candidate for the same office in the same election is prohibited. (Se prohibe firmar la petición de más de un candidate para el mismo puesto oficial en la misma elección.) COMPLETE ALL BLANKS. (LLENE TODOS LOS ESPACIOS EN BLANCO.) This statement MUST be read to each person before signing the petition. (ES OBLIGATORIO leer la siguiente declaración a todos los firmantes antes de que la suscriban.) "I know that the purpose of this petition is to entitle Athert white to have their name placed on the ballot for the office of Justice of the 3 primary election. I understand that by signing this petition I become ineligible to vote in a primary election or participate in a convention of another party, including a party not holding a primary election, during the voting year in which this primary election is held." (Reconozco que el objeto de la presente petición es facultur a 3. Entiendo que al firmar la petición, dejo de tener derecho a volar en una elección primaria de otro partido o participar en la convención del mismo, ' para que su nombre aparezca en la boleta como candidato(a) al puesto de ² en la elección primaria del Partido incluso de un partido que no celebre una elección primaria, durante el año electoral en que se celebre dicha elección primaria.) Date Signed Signature Printed Name Residence Address (Including City, Texas, Zip) (Dirección de Residencia (Incluye Ciudad, Estado, Código Postal)) (Nombre en letra de molde) County Voter VUID Number4 Date of Birth4 (Condada) (Núm de VUID de Votante) (Fecha de Nacimiento) AFFIDAVIT OF CIRCULATOR (DECLARACIÓN JURADA DE LA PERSONA QUE HACE CIRCULAR LA PETICIÓN)5 STATE OF TEXAS (ESTADO DE TEJAS) COUNTY OF (CONDADO DE)

BEFORE ME, the undersigned, on this 2/32 (date) personally appeared (ANTE MI, el/la suscrito(a), en esta (fecha) compareció (1/2) (date) personally appeared (ANTE MI, el/la suscrito(a), en esta (fecha) compareció (1/2) (date) personally appeared (ANTE MI, el/la suscrito(a), en esta (fecha) compareció (1/2) (date) personally appeared (ANTE MI, el/la suscrito(a), en esta (fecha) compareció (1/2) (date) personally appeared (ANTE MI, el/la suscrito(a), en esta (fecha) compareció (1/2) (date) personally appeared (ANTE MI, el/la suscrito(a), en esta (fecha) compareció (1/2) (date) personally appeared (ANTE MI, el/la suscrito(a), en esta (fecha) compareció (1/2) (date) personally appeared (ANTE MI, el/la suscrito(a), en esta (fecha) compareció (1/2) (date) personally appeared (ANTE MI, el/la suscrito(a), en esta (fecha) compareció (1/2) (date) personally appeared (ANTE MI, el/la suscrito(a), en esta (fecha) compareció (1/2) (date) personally appeared (ANTE MI, el/la suscrito(a), en esta (fecha) compareció (1/2) (date) personally appeared (ANTE MI, el/la suscrito(a), en esta (fecha) (date) personally appeared (ANTE MI, el/la suscrito(a), en esta (fecha) (date) personally appeared (ANTE MI, el/la suscrito(a), en esta (fecha) (date) (dat esta (fecha) comparecton to the signer before the signer affixed their signature to the petition. I witnessed the affixing of each signature. The correct date of signing is shown on the petition. I verified each signer's registration status statements and read mem to the signature of the person whose name is signed and that the corresponding information for each signer is correct." (quien, habiendo prestado el juramento correspondiente, declaró y dijo: "Llamé la and believe that each signature is the genuine signature of the person whose matter is signed and the correct of the person whose matter is signed as the correct of the person of the contract of the person atención de cada tirmante sobre la declaración de cada tirmante en lo concerniente a su inscripción y creo que cada firmante.") SWORN TO AND SUBSCRIBED BEFORE ME THIS DATE (JURADO Y SUSCRITO ANTE MI, CON ESTA FECHA) (SEAL) Signature of circulator girma de la persona que hizo circular la petición) Signature of officer administering oath (Firms del/tle la funcionario(n) que le tumó jummento) Title of officer administering oath (Titulo official de Ede in funcionario(a) que le tumó jummento) INSTRUCTIONS AND FOOTNOTES ON BACK (AL DORSO: INSTRUCCIONES Y ANOTACIONES)



PETITION IN LIEU OF A FILING FEE and/or PETITION FOR JUDICIAL OFFICE (for use in a primary election) (PETICIÓN PRESENTADA EN SUSTITUCIÓN DEL PAGO DE DERECHOS DE INSCRIPCIÓN y/o

PETICIÓN PARA UN PUESTO OFICIAL JUDICIAL - para efectos de elecciones primarias)

Name of Circulator	Albus wholes	_ Page	3	of 3	ኇ

Notary ID 124522846

Signing the petition of more than one candidate for the same office in the same election is prohibited. (Se prohibe firmar la petición de más de un candidato para el mismo puesto oficial en la misma elección.) COMPLETE ALL BLANKS. (LLENE TODOS LOS ESPACIOS EN BLANCO.)

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INSTRUCTIONS AND FOOTNOTES ON BACK (AL DORSO: INSTRUCCIONES Y ANOTACIONES)

PETITION IN LIEU OF A FILING FEE and/or PETITION FOR JUDICIAL OFFICE (for use in a primary election) (PETICIÓN PRESENTADA EN SUSTITUCIÓN DEL PAGO DE DERECHOS DE INSCRIPCIÓN y/o

Name of Circulator Ameruhy Page 4 of 59

PETICIÓN PARA UN PUESTO OFICIAL JUDICIAL - para efectos de elecciones primarias)

Signing the petition of more than one candidate for the same office in the same election is prohibited. (Se prohibe firmar la petición de más de un candidato para el mismo puesto oficial en la misma elección.) COMPLETE ALL BLANKS GLENE TODOS LOS ESPACIOS EN RIANCO

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AFFIDAVIT OF CIRCULATOR (DECLARACIÓN JURADA DE LA PERSONA QUE HACE CIRCULAR LA PETICIÓN) ⁵							
STATE OF TEXAS (ESTADO DE TEJAS) COUNTY OF (CONDADO DE) BEFORE MB, the undersigned, on this 12 /13 /21 (date) personally appeared (ANTE MI, el/1	la suscrito(a), en						
esta (fecha) compareció) Al bert Wife. How, (name of person who circulated petition,) – (nombre de la persona que hizo circular la petición) who being duly sworn, deposes and says: "I called each signer's attent statements and read them to the signer before the signer affixed their signature to the petition. I witnessed the affixing of each signature. The correct date of signing is shown on the petition. I verified each signer's region.	tion to the above						
and believe that each signature is the genuine signature of the person whose name is signed and that the corresponding information for each signer is correct." (quien, habiendo prestado el juramento correspondiente, declaró y	istration status						
atención de cada firmante sobre la declaración citada y se la lei antes de que la suscribiera. Atestigüé cada firma, y la fecha correcta de las firmas consta en la petición. Verifiqué la situación de cada firmante en la concerniente a su inscripción	V Creo que codo						
firma es la auténtica de la persona cuyo nombre aparece firmado y que son exactos los datos correspondientes a cada firmante.") SWORN TO AND SUBSCRIBED BEFORE ME THIS DATE (JURADO Y SUSCRITO ANTE MÍ, CO	N ESTA FECHA)						
	EAL)						
X Without tube Michell The Tibe	HAIENTES VEC						
Signature of circulator (Finna de la persona que hizo circular la pención) Signature of officer administering oath (Finna de la persona que hizo circular la pención) Signature of officer administering oath (Finna de la persona que hizo circular la pención) Title of officer administering oath (Title officer a	temé immonante						
INSTRUCTIONS AND FOOTNOTES ON BACK (AL DORSO: INSTRUCCIONES Y ANOTACIONES) INSTRUCTIONS AND FOOTNOTES ON BACK (AL DORSO: INSTRUCCIONES Y ANOTACIONES)							

PETITION IN LIEU OF A FILING FEE and/or PETITION FOR JUDICIAL OFFICE (for use in a primary election) (PETICIÓN PRESENTADA EN SUSTITUCIÓN DEL PAGO DE DERECHOS DE INSCRIPCIÓN y/o

Name of Circulator Ather white

Page 5 of 39

Notary ID 124522646

PETICIÓN PARA UN PUESTO OFICIAL JUDICIAL - para efectos de elecciones primarias)

Signing the petition of more than one candidate for the same office in the same election is prohibited. (Se prohibe firmar la petición de más de un candidato para el mismo puesto oficial en la misma election.) COMPLETE ALL BLANKS. (LLENE TODOS LOS ESPACIOS EN BLANCO.)

	This statement MUST	be read to each person before	signing the petition. (ES OBLIGATORIO leer la siguiente declarac	ión a todos los firma	ntes antes de que la suscriban)
"I know that the	purpose of this petition is to	o entitle Hibert Whiten	¹ to have their name placed on the ballot for the offi	ce of Justice	at the Person	DALL SELLA
	³ primary election.	I understand that by signing this pe	etition I become ineligible to vote in a primary election or participate in	a convention of and	other party, including a party	not holding a primary
election, during the	e voung year in which this pri	mary election is neid." (Reconozco qu	ue ei objeto de la presente pención es facultar a	i para que su nomb	ite anarezca en la boleta como o	ondidata(a) al
	² en la elección prima	aria del Partido	3. Entiendo que al firmar la petición, dejo de tener derecho a votar en	una elección primaria	de otro partido o participar en 1	a convención del mismo,
<u> </u>	que no celebre una elección primar	ia, durante el año electoral en que se celeb Printed Name	Residence Address (Including City, Texas, Zip)			·
	ignature	(Nombre en letra de molde)	(Dirección de Residencia (Incluye Ciudad, Estado, Código Postal))	County (Condado)	Voter VUID Number ⁴	Date of Birth ⁴
(1 00111 40 1 11115)	12 %			(Contracto)	(Núm de VUID de Votante)	(Fecha de Nacimiento)
12/8/2021	Vitte for	Montrel Phillips	331 Hub Ruenne SA, TX 78220			03/18/1989
12/8/2021 A	Mulan Paris	Toma Williams Ponich	1903 Hays=#10, 5A, The 78202	Beyar		16174
77		Femando Son	2/1			
2/8/221 /		1emando son		Bexan		6/18/75
12/8/201 /	200	Alanna John	8514 Crimum Lily Dr Drive 78109	Bexen		08.03.71
12/10/21 /	Store DO	Legicia JACKSON	404 Regal VIEW SATR 78220	Brexan		3273
12/10/21	Than	Cynthia B. ShAW	9802 Autumn Arbor Converge 18109	Bylar		12 23 50
12/10/21		Desiree Cond, 11	7626 Crestway Rdg SATX 78244	Beggr		06/03/85
12/10/21 /	VJ-		10/26 SHAWNEE BLF, CONVERSE, 7X 78/09	Begar		10/8/82
12-10-21 0	Cama T. Wills		2707 Seal Vointe Converse TX 78109			10.14.58
12-12-21	Mymuly 57	l	5910 ACACIA FARM SAN ANTONG TX 78244			07-08-1978
		AFFIDAVIT OF CIRCULA	TOR (DECLARACIÓN JURADA DE LA PERSONA QUE HACE CIRCULAR L	A PETICIÓN ⁵		10108-1418
STATE OF TEXA	S (ESTADO DE TEJAS) COUN	TY OF (CONDADO DE)	BEFORE ME, the undersigned on this!	2 /12 / > 1(date) +	personally appeared (ANTE MI	el/la enscrito(a) en
esta (fecha) compare	eció) Albert Whitb	, (name of person who circulated	pennon, — (nombre de la persona que nizo circular la pencion) who being diffy s	Worn, denoses and s	rave: "I called each signer's a	tantion to the chare
i statements and rea	d them to the signer before the s	signer attixed their signature to the pet	ation. I witnessed the affixing of each signature. The correct date of signing	is shown on the per	tition. I verified each signer's	Foreighation status
and believe that ea	ich signature is the genuine signa	ature of the person whose name is sign	and that the corresponding information for each signer is correct " (quiet	a habiendo prestado el	l irramento correcmendiente de 1	
atención de cada firm	nante sobre la declaración citada y s	se la lei antes de que la suscridiera. Atestig	gue cada firma, y la recha correcta de las firmas consta en la petición. Verifiqué la s	ituación de cada firma:	nte en la concerniente a mi incomin	aida v. a
firma es la auténtiga	de la persona cuyo nombre aparece	firmado y que son exactos los datos corres	spondientes a cada firmante.") SWORN TO AND SUBSCRIBED BEFORE M	IE THIS DATE (JUI	RADO Y SUSCRITO ANTE MÍ,	CON ESTA FECHA)
1 16/	1/2N	\ \ \ \		· ·		(CEAL)
\mathbf{X}			X/\Jan	Tuble 5h		E JEANETTE BARKIENTES VELA
Signature of direul	ator (Firma de la persona que hizo circular l	la petición) Signature of officer adm	ninistering Oath (Firma del/de la funcionario(a) que le tomó juramento) Title of offic	er administering oat	h (Titulo oficial Paris of The Noter)	Public, State of Texas
\ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \		INSTRUCTIONS AN	ND FOOTNOTES ON BACK (AL DORSO: INSTRUCCIONES Y ANOTACIO	NES)	A CALL	e Exercisações (a cario de car

AW2-3

Prescribed by Secretary of State Sections 141.062, 141.063, 141.064, 141.065, 172.021, 172.025, 172.027 Texas Election Code 9/2019

PETITION IN LIEU OF A FILING FEE and/or PETITION FOR JUDICIAL OFFICE (for use in a primary election) (PETICIÓN PRESENTADA EN SUSTITUCIÓN DEL PAGO DE DERECHOS DE INSCRIPCIÓN y/o

Name of Circulator Hours white

of white Page 6 of 39

Notary ID 124522846

ETICION PRESENTADA EN SUSTITUCION DEL PAGO DE DERECHOS DE INSCRIPCION y/o PETICIÓN PARA UN PUESTO OFICIAL JUDICIAL — para efectos de elecciones primarias)

Signing the petition of more than one candidate for the same office in the same election is prohibited. (Se prohibe firmar la petición de más de un candidato para el mismo puesto oficial en la misma elección.)

		COMPLETE	ALL BLANKS. (LLENE TODOS LOS ESPACIOS EN BLANCO.)		
			signing the petition. (ES OBLIGATORIO leer la siguiente declaraci)
"I know that			to have their name placed on the ballot for the office			
Democront		I understand that by signing this pe	tition I become ineligible to vote in a primary election or participate in			
election, during			ue el objeto de la presente petición es facultar a	1 para que su nombi	re aparezca en la boleta como ca	andidato(a) al puesto de
incluso de un par	² en la elección primatido que no celebre una elección primat	aria dei Partido	re dicha elección primaria.)	una elección primaria	de otro partido o participar en la	convención del mismo,
Date Signed	Signature	Printed Name	Residence Address (Including City, Texas, Zip)	County	Voter VUID Number ⁴	Date of Birth ⁴
(Fecha de Firma)	(Firma)	(Nombre en letra de molde)	(Dirección de Residencia (Incluye Ciudad, Estado, Código Postal))	(Condado)	(Núm de VUID de Votante)	(Fecha de Nacimiento)
19/10191	Of Smuk -	Chris Dawkins	3302 Vista Lake	BexAn		01-20-1955
12/10/21	K Jourson	Kevin / Jon Son	10226 GREEN LAKE St.	BEXAR		02-27-77
12/10/21	grendy Yarbruge	Wendy Yarbrough	1822 6 green Lake	Bexa		Ole 15-68
18/10/31	Carlo & Wolker	Carla D. Walker	3435 Belgia La SATX 78219	Baper		11-23-58
1910191	fill of	GHN CWENS	GT18 LAKE CLIFF GATX 70	BEX		12351
1210191	James presson	James P. Amerson	1107 Virginia Blud. SATR 78203	Besar		10/03/64
1210121	Lew Well	Leonoraballay	4551 Dietrick Rd #202 78219	BOION	1/14/49	1-14-51
12/10/19/	Jenn Tenel	Terry Teriell	822 S. Guers St SATX 78203	Bern		1-14-50
19/10/21	Tomore Colen	TAMBRA Glem	6918 E Sunbelt Dr. 54. 7478218	Beson		9-9-53
12/10/21		Herman Booker	2334 Austin HWY#USCH SATY DEDS	Beyar		11-25.86
	SANC (COMPAND DE MENAU) COLIN		TOR (DECLARACIÓN JURADA DE LA PERSONA QUE HACE CIRCULAR I			
STATE OF TE	norgaió \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \	TY OF (CONDADO DE)	BEFORE ME, the undersigned, on this petition,) – (nombre de la persona que hizo circular la petición) who being duly	2 (Cate)	personally appeared (ANTE MI	, el/la suscrito(a), en
			ition. I witnessed the affixing of each signature. The correct date of signing			
and believe tha	it each signature is the genuine sign	ature of the person whose name is sign	ned and that the corresponding information for each signer is correct." (quie	n, habiendo prestado e	l juramento correspondiente, decla	aró v dijo: "Llamé la
atención de cada	firmante sobre la declaración citada y	se la lei antes de que la suscribiera. Atesti	güé cada firma, y la fecha correcta de las firmas consta en la petición. Verifiqué la s	ituación de cada firma	nte en lo concerniente a su inscrip	ción y creo que cada
firma es la autén	tica de la persona cuyo nombre aparece	e firmado y que son exactos los datos corre	spondientes a cada firmante.") SWORN TO AND SUBSCRIBED BEFORE N	AE THIS DATE (JU	RADO Y SUSCRITO ANTE MI,	·
) / / /	11/	De	- 1	(SEAL)
X		X	X My	ary Tublic	S A COMPLETE	EANETTE BARRIENTES VELA
Signature of ci	rculator (Firma de la persona que hizo circular		ninistering oath (Firma del/de la funcionario(a) que le tomó juramento) Title of offic	er administering oa	th (Titulo of cia del/de la Gincionazio (a) qu	ublictostaturutile)kas
		INSTRUCTIONS A	ND FOOTNOTES ON BACK (AL DORSO: INSTRUCCIONES Y ANOTACIO	NES)	Comm. E	Expires 07-18-2023

9/2019

PETITION IN LIEU OF A FILING FEE and/or PETITION FOR JUDICIAL OFFICE (for use in a primary election)

Page 7 of

(PETICIÓN PRESENTADA EN SUSTITUCIÓN DEL PAGO DE DERECHOS DE INSCRIPCIÓN y/o PETICIÓN PARA UN PUESTO OFICIAL JUDICIAL - para efectos de elecciones primarias)

Signing the petition of more than one candidate for the same office in the same election is prohibited. (Se prohibe firmar la petición de más de un candidato para el mismo puesto oficial en la misma elección.)

This statement MUST be read to each person before signing the petition. (ES OBLIGATORIO leer la signiente declaración a todos los firmantes antes de que la suscriban.) "I know that the purpose of this petition is to entitle Albert Whith to have their name placed on the ballot for the office of Justice of the Perce per 4 ³ primary election. I understand that by signing this petition I become ineligible to vote in a primary election or participate in a convention of another party, including a party not holding a primary election, during the voting year in which this primary election is held." (Reconozco que el objeto de la presente petición es facultar a 1 para que su nombre aparezca en la boleta como candidato(a) al puesto de ² en la elección primaria del Partido 3. Entiendo que al firmar la petición, dejo de tener derecho a votar en una elección primaria de otro participar en la convención del mismo, incluso de un partido que no celebre una elección primaria, durante el año electoral en que se celebre dicha elección primaria.) Residence Address (Including City, Texas, Zip) County Voter VUID Number4 Date of Birth4 Date Signed Signature Printed Name (Nombre en letra de molde) (Dirección de Residencia (Incluye Ciudad, Estado, Código Postal)) (Condado) (Núm de VUID de Votante) (Fecha de Firma) (Firma) (Fecha de Nacimiento) RIOVANNI RAMIREZ 64-23-94 12.9.21 virginia blvd BX 101-24-96 virginic blud BX BX GX10-03-82 1101 Virginia 12-9-21 Bexar 12 bo 21 Besar Pomobello Bekar 9151 Portabello way Hays Henderson JR BUYER AFFIDAVIT OF CIRCULATOR (DECLARACIÓN JURADA DE LA PERSONA QUE HACE CIRCULAR LA PETICIÓN)5 STATE OF TEXAS (ESTADO DE TEJAS) COUNTY OF (CONDADO DE) statements and read them to the signer before the signer affixed their signature to the petition. I witnessed the affixing of each signature. The correct date of signing is shown on the petition. I verified each signer's registration status and believe that each signature is the genuine signature of the person whose name is signed and that the corresponding information for each signer is correct." (quien, habiendo prestado el juramento correspondiente, declaró y dijo: "Llamé la atención de cada firmante sobre la declaración citada y se la lei antes de que la suscribiera. Atestigüé cada firma, y la fecha correcta de las firmas consta en la petición. Verifiqué la situación de cada firmante en lo concerniente a su inscripción y creo que cada firma es la auténtica de la persona cuyo nombre aparece firmado y que son exactos los datos correspondientes a cada firmante.") SWORN TO AND SUBSCRIBED BEFORE ME THISDATE THI MICHELLE JEANETTE BARRIENTES VESTIAL) Notary Public, State of Texas Comm. Expires 07-18-2023 Title of officer administering of the control of th Signature of circulator (Firma de la persona que hizo circular la petición) Signature of officer administering oath (Firms del/de la funcionario(a) que le tomó juramento)

INSTRUCTIONS AND FOOTNOTES ON BACK (AL DORSO: INSTRUCCIONES Y ANOTACIONES)

COMPLETE ALL BLANKS. (LLENE TODOS LOS ESPACIOS EN BLANCO.)

9/2019

PETITION IN LIEU OF A FILING FEE and/or PETITION FOR JUDICIAL OFFICE (for use in a primary election) (PETICIÓN PRESENTADA EN SUSTITUCIÓN DEL PAGO DE DERECHOS DE INSCRIPCIÓN y/o

Name of Circulator Abustus My

PETICIÓN PARA UN PUESTO OFICIAL JUDICIAL - para efectos de elecciones primarias)

Signing the petition of more than one candidate for the same office in the same election is prohibited. (Se prohibe firmar la petición de más de un candidato para el mismo puesto oficial en la misma elección.) COMPLETE ALL BLANKS (LENE TODOS LOS ESPACIOS EN BLANCO)

						
	This statement MUST	be read to each person before	e signing the petition. (ES OBLIGATORIO leer la signiente declara	ción a todos los firm	antes antes de que la suscriban	(.)
"I know that t	he purpose of this petition is	to entitle Albert white	to have their name placed on the ballot for the of etition I become ineligible to vote in a primary election or participate in			
Democi	primary election	. I understand that by signing this p	que el objeto de la presente petición es facultar a	n a convenion of at	bre aparezca en la boleta como	not notonig a primar;
_	² en la elección prin	naria del Partido	³ , Entiendo que al firmar la petición, dejo de tener derecho a votar e			
		aria, durante el año electoral en que se cele	bre dicha elección primaria.)		TI TOTAL	
Date Signed (Fecha de Firma)	Signature (Firma)	Printed Name (Nombre en letra de molde)	Residence Address (Including City, Texas, Zip) (Dirección de Residencia (Incluye Ciudad, Estado, Código Postal))	County (Condado)	Voter VUID Number ⁴ (Num de VUID de Votante)	Date of Birth ⁴ (Fecha de Nacimiento)
12-10-21	Xer	Jamun Hendarsil	9151 Portobello Way			
12-10-21	Robin Randall	Robin Randall	4015 Marylebone Ave		44-4-4-7-107-700-70	
12/10/21	gery Karlall	Jerny Randall	4815 Marylebone Ave			
12(10121	Indree Factor	Andres Jackson	207 Tomrob	Busi		10/02/1962
12/10/21	Thoronde	TheresA WIKE		BOXAS		11-30-64
12/10/21/	Don't & Harry	DAVIDK HARK	855 44 CCA ST	b-tan	·	8/13/3
12/10/21	1	LAYCY HAYES	4307 Bridge Port WHY SA			7-4-52
12/10/21	Cola Clay	CORA CLAY	4306 Shiloh De	Bras		2-10-63
19/0191	Karen Washington		1222 Marseilles	Bexar		0417/190
12/10/91	LOIS C Washing		3663 Versailes	Bexar		08/28/1943
		AFFIDAVIT OF CIRCULA VTY OF (CONDADO DE)	ATOR (DECLARACIÓN JURADA DE LA PERSONA QUE HACE CIRCULAR BEFORE ME, the undersigned, on the		narconally appeared (ANTE M	II allo anomito(o) on
STATE OF TE	AS (ESTADO DE TEJAS) COOT	(name of person who circulated	d petition,) - (nombre de la persona que hizo circular la petición) who being dul	v sworn, deposes and	I savs: "I called each signer's	attention to the above
statements and	read them to the signer before the	sigher affixed their signature to the pe	tition. I witnessed the affixing of each signature. The correct date of sign	ing is shown on the r	etition. I verified each signer'	s registration status
and balieve the	t each signature is the genuine sign	nature of the person whose name is sig	med and that the corresponding information for each signer is correct." (qu	iien, habiendo prestado	el juramento correspondiente, dec	claró y dijo: "Llamé la
atención de cada	firmante sobre la declaración citada v	se la lei antes de que la suscribiera. Atest	igüé cada firma, y la fecha correcta de las firmas consta en la petición. Verifiqué l	a situación de cada firm	nante en lo concerniente a su inscri	ipción y creo que cada
firma es la autén	tica de la persona cuyo nombre aparec	ce firmado y que son exactos los datos corr	espondientes a cada firmante.") SWORN TO AND SUBSCRIBED BEFORE		MININE MOURIE STATE	I CON ESTA FECHA)
1 76				wit	MICHELLE JEANETTE BARR	IENTES VEEK NL.)
X/		X	XTu	blic	Notary Public, State Comm. Expires 07 ath Anthonicial destent funionario(s)	7 01 10X8511 -18-2023
Signatureløf ci	rculator (Firma de la persona que hizo circula		ministering oath (Firma del/de la funcionario(a) que le tomó juramento) Title of of ND FOOTNOTES ON BACK (AL DORSO: INSTRUCCIONES Y ANOTAC		atir of Afficial despera funcionario(a)	gue le tomó iramento)
1		INSTRUCTIONS A	IND LOOTINGTES ON DWOY (WE DOKSO; INSTRUCCIONES I WINGTWO	YONED)	THE RESERVE THE PERSON NAMED IN COLUMN TWO IS NOT THE PERSON NAMED IN THE PERSON NAMED IN THE PERSON NAMED I	

Demice rout

PETITION IN LIEU OF A FILING FEE and/or PETITION FOR JUDICIAL OFFICE (for use in a primary election) (PETICIÓN PRESENTADA EN SUSTITUCIÓN DEL PAGO DE DERECHOS DE INSCRIPCIÓN y/o PETICIÓN PARA UN PUESTO OFICIAL JUDICIAL - para efectos de elecciones primarias)

1 27 8 27 1	Re 1. 1. 1. 1. 1. 1. 1. 1.		72.
Name of Circulator	Hitery was in	Page 7	of 77
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Signing the petition of more than one candidate for the same office in the same election is prohibited. (Se prohibe firmer la petición de más de un candidate para el mismo puesto oficial en la misma elección.) COMPLETE ALL BLANKS. (LLENE TODOS LOS ESPACIOS EN BLANCO.) This statement MUST be read to each person before signing the petition. (ES OBLIGATORIO leer la signiente declaración a todos los firmantes antes de que la susgriban.) "I know that the purpose of this petition is to entitle Albert whith ³ primary election. I understand that by signing this petition I become ineligible to vote in a primary election or participate in a convention of another party, including a party not holding a primary election, during the voting year in which this primary election is held." (Reconozco que el objeto de la presente petición es facultar a 3. Entiendo que al firmar la petición, dejo de tener derecho a votar en una elección primaria de otro partido o participar en la convención del mismo, ² en la elección primaria del Partido Residence Address (Including City, Texas, Zip) Printed Name County (Nombre en letra de molde) (Dirección de Residencia (Incluye Ciudad, Estado, Código Postal): Voter VUID Number4 Date of Birth4 (Condado) (Núm de VUID de Votante) 1955 LAMAY St. SAN AntonioTX (Fecha de Nacimiento)

i para que su nombre aparezca en la boleta como candidato(a) al puesto de incluso de un partido que no celebre una elección primaria, durante el año electoral en que se celebre dicha elección primaria.) Date Signed Signature (Feelia de Firma) BeXAR AFFIDAVIT OF CIRCULATOR (DECLARACIÓN JURADA DE LA PERSONA QUE JACE CIRCULAR LA PETICIÓN)

STATE OF TEXAS (ESTADO DE TEJAS) COUNTY OF (CONDADO DE)

BEFORE ME, the undersigned, on this 2/1361 (i BEFORE ME, the undersigned, on this 2/1361 (date) personally appeared (ANTE MI, el/la suscrito(a), en esta (fecha) compareció) (name of person who circulated petition,) – (nombre de la persona que hizo circular la petición) who being duly sworn, deposes and says: "I called each signer's attention to the above statements and read them to the signer before the signer affixed their signature to the petition. I witnessed the affixing of each signature. The correct date of signing is shown on the petition. I verified each signer's registration status and believe that pach signature is the genuine signature of the person whose name is signed and that the corresponding information for each signer is correct." (quien, habiendo prestado el juramento correspondiente, declaró y dijo: "Llamé la and defleve that page signature is the genuine signature of the person makes have a signature of the person makes a signature

firma es la auténtica de la persona cuyo nombre aparece firmado y que son exactos los datos correspondientes a cada firmante.") SWORN TO AND SUBSCRIBED REFORE ME THIS DATE (JURADO Y SUSCRITO ANTE MÍ, CON ESTA FECHA)

Signature CIPAULATOT (Firma de la persona que hizo circular la petición)

Oath (Firms del/de la funcionario(a) que le tomó juramento INSTRUCTIONS AND FOOTNOTES ON BACK (AL DORSO: INSTRUCCIONES Y ANOTACIONES)

Title of officer administering oath

Ediotary Rubico Store of Texas Comm. Expires 07-18-2023

Notary ID 124522846

PETITION IN LIEU OF A FILING FEE and/or PETITION FOR JUDICIAL OFFICE (for use in a primary election) (PETICIÓN PRESENTADA EN SUSTITUCIÓN DEL PAGO DE DERECHOS DE INSCRIPCIÓN y/o PETICIÓN PARA UN PUESTO OFICIAL JUDICIAL – para efectos de elecciones primarias)

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Signing the petition of more than one candidate for the same office in the same election is prohibited. (Se prohibe firmar la petición de más de un candidato para el mismo puesto oficial en la misma elección.)

COMPLETE ALL BLANKS. (LLENE TODOS LOS ESPACIOS EN BLANCO.)

	This statement MUST be read to each person before signing the petition. (ES OBLIGATORIO leer la siguiente declaración a todos los firmantes antes de que la suscriban.)							
	I know that the purpose of this petition is to entitle Abert White 1 to have their name placed on the ballot for the office of Justice of the Peace 2 for the Democratic 3 primary election. I understand that by signing this petition I become ineligible to vote in a primary election or participate in a convention of another party, including a party not holding a primary							
alastian durina	> the verting year in which this pr	. I understand that by signing this period of the control of the c	ue el objeto de la presente petición es facultar a	a convention of ano	ther party, including a party	not holding a primary		
•	² en la elección prin	naria dei Partido	3. Entiendo que al firmar la petición, dejo de tener derecho a votar en	—, bara das sa nomo:	re aparezca en la boleta como	candidato(a) al puesto de		
incluso de un par	tido que no celebre una elección prima	aria, durante el año electoral en que se cele	ore dicha election primaria.)	ona crosocon primaria	de este partido o participar est	ia convencion dei misino,		
Date Signed	Signature	Printed Name	Residence Address (Including City, Texas, Zip)	County	Voter VUID Number ⁴	Date of Birth ⁴		
(Fecha de Firma)	(Firma)	(Nombre en letra de molde)	(Dirección de Residencia (Incluye Ciudad, Estado, Código Postal))	(Condado)	(Núm de VUID de Votante)	(Fecha de Nacimiento)		
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PETITION IN LIEU OF A FILING FEE and/or PETITION FOR JUDICIAL OFFICE (for use in a primary election)

(PETICIÓN PRESENTADA EN SUSTITUCIÓN DEL PAGO DE DERECHOS DE INSCRIPCIÓN y/o PETICIÓN PARA UN PUESTO OFICIAL JUDICIAL — para efectos de elecciones primarias)

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Name of Circulator Appendix Page 1 of Ma
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Signing the petition of more than one candidate for the same office in the same election is prohibited. (Se prohibe firmar la petición de más de un candidato para el mismo puesto official en la misma elección.) COMPLETE ALL BLANKS. (LLENE TODOS LOS ESPACIOS EN BLANCO.) This statement MUST be read to each person before signing the petition. (ES OBLIGATORIO leer la signiente declaración a todos los firmantes antes de que la suscriban.) "I know that the purpose of this petition is to entitle Albert Whith!" to have their name placed on the ballot for the office of Justices a primary election. I understand that by signing this petition I become ineligible to vote in a primary election or participate in a convention of another party, including a party not holding a primary election, during the voting year in which this primary election is held." (Reconozco que el objeto de la presente petición es facultar a ² en la elección primaria del Partido para que su nombre aparezca en la boleta como candidato(a) al puesto de 1. Entiendo que al firmar la petición, dejo de tener derecho a votar en una elección primaria de otro partido o participar en la convención del mismo, incluso de un partido que no celebre una elección primaria, durante el año electoral en que se celebre dicha elección primaria.) Date Signed Signature Printed Name Residence Address (Including City, Texas, Zip) (Fecha de Firma) (Firma) (Nombre en letra de molde) (Dirección de Residencia (Incluye Ciudad, Estado, Código Postal)) County Voter VUID Number4 Date of Birth4 (Condado) (Núm de VUID de Votante) (Fecha de Nacimiento) B-exar BEXAR 30JANA -ainesmith 3210 lue Bonnetst Baxer Syffel & Budan BEXAR AFFIDAVIT OF CIRCULA FOR (DECLARACIÓN JURADA DE LA PERSONA QUE HACE CIRCULAR LA PETICIÓN)5 STATE OF TEXAS (ESTADO DE TEJAS) COUNTY OF (CONDADO DE)

BEFORE ME, the undersigned, on this 2/13 2 1 (date) personally appeared (ANTE MI, el/la suscrito(a), en esta (fecha) compareció) (name of person who circulated petition,) - (nombre de la persona que hizo circular la petición) who being duly sworn, deposes and says: "I called each signer's attention to the above statements and read them to the signer before the signer affixed their signature to the petition. I witnessed the affixing of each signature. The correct date of signing is shown on the petition. I verified each signer's registration status and believe that each signature is the genuine signature of the person whose name is signed and that the corresponding information for each signer is correct." (quien, habiendo prestado el juramento correspondiente, declaró y dijo: "Llamé la and believe margach signature is the genuine signature of the person whose hard is signed and believe margach signature is the genuine signature of the person whose hard is signed and the signature of the person whose hard is signed and the signature of the person whose hard is signed as signature is the genuine signature is the genuine signature of the person whose hard is signed as signature is the genuine signature of the person whose hard is signed as signature is the genuine signature is the genuine signature of the person whose hard is signed as signature is the genuine signature is the genuine signature of the person whose hard is signed as signature is the genuine signature is the genuine signature is the genuine signature is the genuine signature of the person whose hard is signature is the genuine signature of the person whose hard is signature is the genuine signature is the genuine signature of the person whose hard is signature in the person whose hard is signature. atención de cada fignante sobre la deciaración cuada y se la lei antes de que la sasonica. Acongo como mente a su inscripción y creo que cada firmante.") SWORN TO AND SUBSCRIBED BEFORE ME THIS DATE (JURADO Y SUSCRITO ANTE MÍ, CON ESTA FECHA) irculator (Firma de la persona que hizo circular la petición) Signature of officer administering oath (Firms del/de la funcionario(s) que le tomó juramento) MICHELLE JEANETTE BARRIENTES VELA Title of officer administering INSTRUCTIONS AND FOOTNOTES ON BACK (AL DORSO: INSTRUCCIONES Y ANOTACIONES) The office Most are unfounding of the temperation as Comm. Expires 07-18-2023 Notary ID 124522846

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PETITION IN LIEU OF A FILING FEE and/or PETITION FOR JUDICIAL OFFICE (for use in a primary election)

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Notary ID 124522846

Title of officer administering

Page 12 of 39

(PETICIÓN PRESENTADA EN SUSTITUCIÓN DEL PAGO DE DERECHOS DE INSCRIPCIÓN v/o PETICIÓN PARA UN PUESTO OFICIAL JUDICIAL - para efectos de elecciones primarias)

Signing the petition of more than one candidate for the same office in the same election is prohibited. (Se prohibe firmar la petición de más de un candidato para el mismo puesto oficial en la misma elección.) COMPLETE ALL BLANKS. (LLENE TODOS LOS ESPACIOS EN BLANCO.) This statement MUST be read to each person before signing the petition. (ES OBLIGATORIO leer la signiente declaración a todos los firmantes antes de que la suscriban.) "I know that the purpose of this petition is to entitle Hibert whitsy to have their name placed on the ballot for the office of Justice of Heave Heave Heave ² for the 3 primary election. I understand that by signing this petition I become ineligible to vote in a primary election or participate in a convention of another party, including a party not holding a primary demorcratic election, during the voting year in which this primary election is held." (Reconozco que el objeto de la presente petición es facultar a 1 para que su nombre aparezca en la boleta como candidato(a) al puesto de 3. Entiendo que al firmar la petición, dejo de tener derecho a votar en una elección primaria de otro partido o participar en la convención del mismo. ² en la elección primaria del Partido incluso de un partido que no celebre una elección primaria, durante el año electoral en que se celebre dicha elección primaria.) Residence Address (Including City, Texas, Zip) Printed Name County Voter VUID Number⁴ Signature Date Signed Date of Birth4 (Dirección de Residencia (Incluye Cindad, Estado, Código Postal)) (Condado) (Nombre en letra de molde) (Núm de VUID de Votante) (Fecha de Firma) (Firma) (Fecha de Nacimiento) Dexa! South 1099 fanch Rd 7822 Be ray BEXAR Boka Bergy 18202 78202 Bexar Be40 AFFIDAVIT OF CIRCULATOR (DECLARACIÓN FERADA DE LA PERSONA QUE HACE CIRCULAR LA PETICIÓN) STATE OF TEXAS (ESTADO DE TEJAS) COUNTY OF (CONDADO DE) BEFORE ME, the undersigned, on this 12/13/24 (date) personally appeared (ANTE MI, el/la suscrito(a), en statements and read them to the signer before the signer affixed their signature to the petition. I witnessed the affixing of each signature. The correct date of signing is shown on the petition. I verified each signer's registration status and believe that each signature is the genuine signature of the person whose name is signed and that the corresponding information for each signer is correct." (quien, habiendo prestado el juramento correspondiente, declaró y dijo: "Llamé la atención de cada firmante sobre la declaración citada y se la lei antes de que la suscribiera. Atestigüé cada firma, y la fecha correcta de las firmas consta en la petición. Verifiqué la situación de cada firmante en lo concerniente a su inscripción y creo que cada firma es la auténtica de la persona cuyo nombre aparece firmado y que son exactos los datos correspondientes a cada firmante.") SWORN TO AND SUBSCRIBED BEFORE ME THIS DATE (JURADO Y SUSCRITO ANTE MÍ, CON ESTA FECHA) MICHELLE JEANETTE BARRIENTES VE Notary Public, State of Texas

INSTRUCTIONS AND FOOTNOTES ON BACK (AL DORSO: INSTRUCCIONES Y ANOTACIONES)

Signature of officer administering oath (Firma del/de la funcionario(a) que le tomó juramento)

Signature

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PETITION IN LIEU OF A FILING FEE and/or PETITION FOR JUDICIAL OFFICE (for use in a primary election)

(PETICIÓN PRESENTADA EN SUSTITUCIÓN DEL PAGO DE DERECHOS DE INSCRIPCIÓN y/o

PETICIÓN PARA UN PUESTO OFICIAL JUDICIAL – para efectos de elecciones primarias)

Page 13 of 37

Signing the petition of more than one candidate for the same office in the same election is prohibited. (Se prohibe firmar la petición de más de un candidato para el mismo puesto o

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PETITION IN LIEU OF A FILING FEE and/or PETITION FOR JUDICIAL OFFICE (for use in a primary election) (PETICIÓN PRESENTADA EN SUSTITUCIÓN DEL PAGO DE DERECHOS DE INSCRIPCIÓN y/o

PETICIÓN PARA UN PUESTO OFICIAL JUDICIAL - para efectos de elecciones primarias)

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Signing the petition of more than one candidate for the same office in the same election is prohibited. (Se prohibe firmar la petición de más de un candidato para el mismo puesto oficial en la misma elección.) COMPLETE ALL BLANKS. (LLENE TODOS LOS ESPACIOS EN BLANCO)

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PETITION IN LIEU OF A FILING FEE and/or PETITION FOR JUDICIAL OFFICE (for use in a primary election) (PETICIÓN PRESENTADA EN SUSTITUCIÓN DEL PAGO DE DERECHOS DE INSCRIPCIÓN y/o PETICIÓN PARA UN PUESTO OFICIAL JUDICIAL — para efectos de elecciones primarias)

Name of Circulator Heat with Page \s of

Signing the petition of more than one candidate for the same office in the same election is prohibited. (Se prohibe firmar la petición de más de un candidato para el mismo puesto oficial en la misma elección.)

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PETITION IN LIEU OF A FILING FEE and/or PETITION FOR JUDICIAL OFFICE (for use in a primary election) (PETICIÓN PRESENTADA EN SUSTITUCIÓN DEL PAGO DE DERECHOS DE INSCRIPCIÓN y/o

PETICIÓN PARA UN PUESTO OFICIAL JUDICIAL - para efectos de elecciones primarias)

Name of Circulator Akut Why

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This statement MUS	T be read to each person befo	ore signing the petition. (ES OBLIGATORIO leer la signiente	DLANCO.)		
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Persont I) Europea 1 3 primary election	on. I understand that by signing this	petition I become ineligible to vote in a primary election or and	cinate in a convention of	-11 of the veace	Peθ4 2 for the
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en la elección pr	imaria del Partido	3 Entiendo que al firmor la natición dels de terres I	a votar en una elección primaria	bre aparezca en la boleta como	candidato(a) al puesto de
incluso de un partido que no celebre una elección prin Date Signed Signature	Printed Name	elebre dicha elección primaria.)	- F	- 40 outo particio o participat en	la convencion del mismo,
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12-12-21 Tomme Baker	Tommie Baker	6711 Pleasant Bay	Bexar		86-17-54
12/12/21 Jams R. Bol	- James Baker	6711 Pleasant Ball	Bexar		01-19-43
12/2/21 Kangan Sand	Knogen Swette	2910 Box Aldan	Bexur		12-12-21
16/2/2/ Jan 8/2	James Younger	2530 HARRY Wordback rd#17			
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	AFFIDAVIT OF CIRCUI	ATOR (DECLARACIÓN JURADA DE LA PERSONA OUE HACE CIR	CTIL AP I A PETICIONES		02-05-195
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X / U	X	V.	13111	MICHELLE JEANETTE BARRIEN	"TSEAL)
Signature of circulator (Firma de la persona que hizo circul	ar la petición) Signature of officer ac	Iministering oath (Firma del/de la funcionario(a) que le tomó juramento) Titl	Tuble	Notary Public State of Comm. Expires 07-1	8-2023
	INSTRUCTIONS	AND FOOTNOTES ON BACK (AL DORSO: INSTRUCCIONES Y AN	OTACIONES	A Final official deligious functionarity is 25	1814 flomó pramento)
		Y = O'THOCHION I MIN	OTACIONES)		- Constitution

PETITION IN LIEU OF A FILING FEE and/or PETITION FOR JUDICIAL OFFICE (for use in a primary election) (PETICIÓN PRESENTADA EN SUSTITUCIÓN DEL PAGO DE DERECHOS DE INSCRIPCIÓN y/o

PETICIÓN PARA UN PUESTO OFICIAL JUDICIAL - para efectos de elecciones primarias)

	1 / 10		
Name of Circulator	Herry White	Page 15 .f	46
		rage 17 of	

Signing the petition of more than one candidate for the same office in the same election is prohibited. (Se prohibe firmar la petición de más de un candidato para el mismo puesto oficial en la misma elección.) COMPLETE ALL BLANKS. (LLENE TODOS LOS ESPACIOS EN BLANCO.)

	This statement MUST	be read to each person before	e signing the petition. (ES OBLIGATORIO leer la siguiente declarace	7.)		
"I know that	the purpose of this petition is	to entitle Albert Whith	to have their name placed on the ballot for the officition I become ineligible to vote in a primary election or perfection in	Fig. of	ntes antes de que la suscriban	.)
Democ	yest 3 primary election	. I understand that by signing this p	etition I become ineligible to vote in a primary election or participate in que el objeto de la presente petición es facultar a	3 Composition of and	e of the pea	Ce pcty2 for th
election, during	g the voting year in which this pr	imary election is held." (Reconozco o	que el objeto de la presente petición es facultar a	I that a me on nomb	ther party, including a party	not holding a primar
	² en la elección prin	naria del Partido	³ Entiendo que al firmar la petición delo de topos de contrata de la contrata del contrata de la contrata de la contrata del contrata de la contrata del contrata de la contrata de la contrata de la contrata de la contrata del contrata de la contrata del contrata del contrata del contrata del contrata de la contrata del	una elección primaria	re aparezca en la boleta como (andidato(a) al puesto o
Date Signed	Signature	uia, durante el año electoral en que se cele Printed Name	bre dicha elección primaria.)		ac one partico o participar en l	a convención del mism
(Fecha de Firma)	(Firma)	(Nombre en letra de molde)	Residence Address (Including City, Texas, Zip) (Dirección de Residencia (Incluye Ciudad, Estado, Código Postal))	County	Voter VUID Number4	Data - Cm: a4
	1 1 1	1		(Condado)	(Núm de VUID de Votante)	Date of Birth ⁴ (Fecha de Nacimiento
12-12-2	X Housed	later toused	164 Rossier Rd. S.A.TX 78220	BUXAR	11/13/74	11 12.1a
12-12-21	Dunglet July	DWGHT JOHNSON	150 FERRIS 78220	BexAR		6.15 -78
12-12.21	Jaky Kagon	ERLY REGERS	123 DOMULINAVE, SATIX RO	BEXAR		12-5-7
12-12-21	Raymed Bett	Rexmond Butler		Beggan		1 10
				10 MM		9-22-54
12-12-21	Sheodory preking	Theopore JACKSONSP	1802 PROVIDENCE - SA CEXAS 78220	BEYAR		6-19-1942
12.12:	rayer!	Roseana Wishington	134 mote/ DA SA TX 78219	Bekan		
12/2/21	11 Marsh	Ding Rostona	2919 Sungel Brend SA, TX 7859	<u> </u>	9/19/70	9-12-54
12/2	And	Tomeky Toney	2603 PARIA CYN Gruent TX.	ry Bec	714/10	6-8-75
r-1 r	0	1. '\lambda . \lambda			`,	
12/12/21	Tonnie Me	COMMIE PRICE	233CHARCLIEF DR. SATX TOZZO	BEA(HE		2/17/1
12/12/21		1 Jord Ar house	11104 KRESTER RID SA TX 78220	SPX HAR		7/14/97
OTATE OF TE	TALE COMPAND DE CONTRA CONTRA	TY OF (CONDADO DE)	TOR (DECLARACIÓN JURADA DE LA PERSONA QUE HACE CIRCUI AR L	A DETECTÓNIS		7 11
STATE OF TE	MAS (ESTADO DE TEJAS) COUN	1 Y OF (CONDADO DE) \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \	BEFORE ME, the undersigned, on this petition,) – (nombre de la persona que hizo circular la petición) who being duly s	13/3/ (date) po	Sonally appeared (ANTE MI	al/la mana-it-(-)
statements and	read them to the signer before the	sidner affixed their signature to the net	The Tailer and the second day a	work deposes and sa	IVS: "I called each signer's att	ention to the at
I amd haliarea tha	. ele si-me-e in elem securios sison		-1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1	2 to one wit out the Dell	IIOD. I Verified each signer's i	anidatia.
l atomoión do adda	Kimponto colum la declaración estada es	on la lai amera da assa la monadiriama A esser	The state of the s	i, nadiendo prestado el	ultamento corregnondiente, decla	ala a dilia di ser a
firma es la antén	itica de la persona cuyo nombre aparece	firmado y que son exactos los datos corre	gue cada firma, y la techa correcta de las firmas consta en la petición. Verifique la si spondientes a cada firmante.") SWORN TO AND SUBSCRIBED BEFORE M	macion de cada firmani	te en lo concerniente a su inscripc	ión y creo que cada
1 / .	11/		X / Y	er imprate (10K		
x to		X	The state of the s	42-1	MICHELLE JEANETTE BAR	
Signature of ci	rculator (Firma de la persona que hizo circular	la perición) Signature of officer adm	inistering Oath (Firma del/de la funcionario(a) que le tomó juramento) Title of offic	blic	Notary Public, Stat	6 of Texasi
	(chima de la persona que mes chema	INSTRUCTIONS AN	Title of offic VD FOOTNOTES ON BACK (AL DORSO: INSTRUCCIONES Y ANOTACION	er administering oatl	Trade affetal de la fillicio de 1683 de	118-2020
			ANOTACION	VES)	Notary ID 1245	22846

PETITION IN LIEU OF A FILING FEE and/or PETITION FOR JUDICIAL OFFICE (for use in a primary election) (PETICIÓN PRESENTADA EN SUSTITUCIÓN DEL PAGO DE DERECHOS DE INSCRIPCIÓN y/o

PETICIÓN PARA UN PUESTO OFICIAL JUDICIAL – para efectos de elecciones primarias)

Name of Circulator LyneHe Whitspage 1

Signing the petition of more than one candidate for the same office in the same election is prohibited. (Se prohibe firmar la petición de más de un candidato para el misr

	COMPLET			nuato para el mismo puesto oficial	
This statement MUST	' be read to each person befor	e signing the petition. (ES ORI IGATORIO lear la significate de classes			
"I know that the purpose of this petition is	to entitle Albert Whi-	to have their name placed on the ballot for the off	fice of Just	antes antes de que la suscriba	n.)
Democrat 3 primary election	. I understand that by signing this p	petition I become ineligible to vote in a primary election or participate in que el objeto de la presente petición es facultar a	a convention of an	other ments in al. 1:	for the
election, during the voting year in which this p	rimary election is held." (Reconozco	que el objeto de la presente petición es facultar a	Dara one su nomi	oriei party, including a party ore aparezca en la boleta como	y not holding a primar
rincluso de un partido que no celebre una elección prim	naria del Partido	3. Entiendo que al firmar la petición, dejo de tener derecho a votar en ebre dicha elección primaria.)	una elección primaria	de otro partido o participar en	candidato(a) al puesto d
Date Signed Signature	Printed Name	Residence Address (Including City, Texas, Zip)			ia convencion del mismo
(Fecha de Firma) (Firma)	(Nombre en letra de molde)	(Dirección de Residencia (Incluye Ciudad, Estado, Código Postal))	County (Condado)	Voter VUID Number ⁴	Date of Birth4
10 12 11 4 11 1014	1 11-211-11		T	(Núm de VUID de Votante)	(Fecha de Nacimiento)
12-10-21 hypothe whitey	Lynette Whitby	623 Nellie Ave. SATX. 78720	Bexar		5-9-1958
12-12-21 May- 2	Maya Dowe	619 NEWIE SAN ANTONIO, TX 78220			77.00
12-12-21 Christine Dave	Christine Doice	619 Nellie, San Anton 10, TX 18220	Boxar		2-10 (0.110
12-12-21 Defeate wolfored	Devente Wolfred		2271001		3-19-1949
12=12-2/ allina 5 3/2012		2310 E COMMERCE Su, Antonio TX 782	BERLA	millett	05-13-1992
1 / January July	Eduar Discher	2316 Ecommerce SAN HIHGIIGTY7	103 RXXX		
12-12-21 GraciEWOLFORE	Imiewood	2310 E Commerce-SANANtonuTX7	3 L 2 p		M-22-62
12-12-21 Barbara Fulle		Ara C 10	13/30/11		6-11-49
	BARBARA FULLER	1527 GORMANST SAN ANTONIS TX 178262	BEXAR		3-18-43
12.12.21 Therespon	Frances Baucham	346 Como St S.A. TX 78202	Beyar		02.25.51
12/12 1 Anthous Coot	ANHONY ROOK	351 Comost SA, TX 18220.	BEXAD		10-21-54
12-12-21 Hiss Cook	hosecook	351Comos A TX 78220	2000		8-14 50
	AFFIDAVIT OF CIRCULA	TOR (DECLARACIÓN JURADA DE LA PERSONA QUE HACE CIRCULAR I	A DETECTION DS		1017-04
STATE OF TEXAS (ESTADO DE TEJAS), COUN	TY OF (CONDADO DE) BEXA	BEFORE ME, the undersigned, on this dipetition,) – (nombre de la persona que hizo circular la petición) who being duly	12/11/11 (data) n	anguage and the same and a construction	
esta (fecha) compareció) Lyne He Whith	\mathcal{U}_{-} , (name of person who circulated	BEFORE ME, the undersigned, on this dipetition,) – (nombre de la persona que hizo circular la petición) who being duly stition. I witnessed the affixing of each signature. The correct date of significant signature.	sworn, deposes and s	saks. "I called each signer," a	l, el/la suscrito(a), en
and halians that each signature is the assuring signature		1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	2 to othoram on the Del	IIIOII. I VETITIEd each signer's	TACIOTO Service
stención de cada firmante sobre la declaración citada re	an la lai antan da ava la manuibiana Ata-i	continued in the second of the	u, naoiemdo prestado el	illigimento correspondiente decl	nek er dii KT 1
firma es la auténtica de la persona cuyo nombre aparec	e firmado y que son exactos los datos corre	egue cada firma, y la fecha correcta de las firmas consta en la petición. Verifiqué la sespondientes a cada firmante.") SWORN TO AND SUBSCRIBED BEFORE M	ituación de cada firman	ite en lo concerniente a su inscrip	ción y creo que cada
1 4 1 4 1 4 1		1 (I	ue i hisdate (лл	(ALPOY BUILDING ANTICARI	COM-DOTA DISCULATION
XXXX ME THE Whith		- Collow	non y	MICHELLE JEANETT	STATE OF THE STATE
Signature of circulator (Firma de la persona que hizocircular	la petición) Signature of officer adm	ninistering oath (Firma del/de la funcionario(a) que le tomó juramento) Title of offic		Comm. Expire	S 07-18-2023
	INSTRUCTIONS AT	ND FOOTNOTES ON BACK (AL DORSO: INSTRUCCIONES Y ANOTACIO	er administering oath	1 (Trulo crieff del de la filocarcio(E) q	12 48028 (19men)

9/2019

PETITION IN LIEU OF A FILING FEE and/or PETITION FOR JUDICIAL OFFICE (for use in a primary election) (PETICIÓN PRESENTADA EN SUSTITUCIÓN DEL PAGO DE DERECHOS DE INSCRIPCIÓN y/o

PETICIÓN PARA UN PUESTO OFICIAL JUDICIAL - para efectos de elecciones primarias)

Name of Circulator Abut White Page 19

Signing the petition of more than one candidate for the same office in the same election is prohibited. (Se prohibe firmar la petición de más de un candidato para el mismo puesto oficial en la misma ele

		COMPLETE	E ALL BLANKS. (LLENE TODOS LOS ESPACIOS EN BLANCO))		ar la imisma eleccion.)
	This statement MUST	he read to each person before	signing the notition (ES ODITICATORIO)			· · · · · · · · · · · · · · · · · · ·
"I know that	the purpose of this petition is t	o entitle Albert Whith	to have their name placed on the ballot for the off	ion a lodos los firma	intes antes de que la suscriban.)
				0. 00mmention of	a of The Pear	puru 2 for the
election, during	g the voting year in which this pri	imary election is held." (Reconozco q	ue el objeto de la presente petición es facultar a	a conveniion of and	other party, including a party	not holding a primary
	² en la elección prim	aria del Partido	3. Entiendo que al firmar la netición, dejo de tener derecho a victor en	para que su nomb	re aparezca en la boleta como c	andidato(a) al puesto de
		ria, durante el año electoral en que se celel		ona election primaria	de otro partido o participar en la	a convención del mismo,
Date Signed	Signature	Printed Name	Residence Address (Including City, Texas, Zip)	County	Voter VUID Number ⁴	
(Fecha de Firma)	(Firma)	(Nombre en letra de molde)	(Dirección de Residencia (Incluye Ciudad, Estado, Código Postal))	(Condado)	(Núm de VUID de Votante)	Date of Birth ⁴
12-11-2021	Horles Kay Omison	CHARLESKAY, 10 HUSON	4803BINZENGLEMAN Rd	BEVAD		(Fecha de Nacimiento)
12/12/21	Debrat Sever	Debre Demond	17/0 Wartin L. Hing DC	Ba Yar		5-12-29
plinh	Joseph Phillips	Jackle Pleto	6235 Still Meaders	Renad		
[2/11/21	Mangel Cicy	Rimell CresiZi	4922 Larkhill Evm S	Bexal		10/07/62
12/11/2021	Jane W Mompson	Janet O. Thompson	6827 Congressional Blvd, SATX 98244	Bexar		09/20/1961
12-11-2021	W-10-	DOMONECK JONES	707 SAENTS RETREAT SATY 78220	BEXAR		08/26/1974
12-11-21	ars -	CORTNEY SHERMAN	8856 STAGHODN MILL CONLINESS IX 73109	BEXAR		09.27.86
12.122	O.Deo-8.	OSCAP L. DRANGE.	755 LINCOINSHIRE DR. S.A & 78220	Beox		3.12.76
12-11-2	PM stokell	ONITA Mitchell		Beyon		6-25-39
19-12-21	JeTlean Shular	Jeles Shelay	1949 JM \$5148 Sandenlard 2478263	Bern		10-23-31
	•	AFFIDAVIT OF CIRCULA	TOR (DECLARACIÓN JURADA DE LA PERSONA OUE HACE CIRCUI AR L	A DETECTORS		
STATE OF TE	XAS (ESTADO DE TEJAS). COUN				ersonally appeared (A NETE No.	-7.71
esta (fecha) com	pareció (LOUT) DUT LUNITA	(name of person who circulated	petition,) – (nombre de la persona que hizo circular la petición) who being duly s ition. I witnessed the affixing of each signature. The correct date of signature	worn, deposes and sa	sys. "I called each signer's att	el/la suscrito(a), en
statements and	read them to the signer before the s	agner attixed their signature to the pet	petitions, — (nomore de la persona que nizo circular la petición) who being duly s ition. I witnessed the affixing of each signature. The correct date of signing and that the corresponding information for each signer is correct."	is shown on the peti	tion. I verified each signer's	enightation ct-
/			duffer	i, naoiendo prestado el	iuramento correspondiente decla-	Annality are to a second
firma es la autén	i immagice soure la declaración chada y s	firmado y que son exactos los datos corres	gue and that the corresponding information for each signer is correct." (quien gue cada firma, y la fecha correcta de las firmas consta en la petición. Verifique la si spondientes a cada firmante.") SWORN TO AND SUBSCRIBED BEFORE M	tuación de cada firmant	te en lo concerniente a su inscripc	ión v creo mie cada
mina es la atten	trop de la poisona payo nomore aparece	initiated y que son exactos los dates corres	spondiones a caus miname.) SWORN TO AND SUBSCRIBED BEFORE M	E THIS DATE (JUR	ADON'S USERAL PLANTE MILE	ON ESTA FECHA)
v M		TI	- Alet in	(າດ∈ Notary Public, State ດ	(SJEAN)
Signatura of Si	roulator or	Cimpting of off	XIII	l'c	Comm. Expires 07-18	3-2023
Signature Of CI	rculator (Firma de la persona que hizo circular l	a pencion) Signature of officer adm	inistering oath (Firma del/de la funcionario(a) que le tomó juramento) Title of office	er administering of	Notary ID 124522	846 le tomé ja amento)
		TIAST KOCT TOWS AN	ID FOOTNOTES ON BACK (AL DORSO: INSTRUCCIONES Y ANOTACION	(ES)		, , , , , , , , , , , , , , , , , , , ,

PETITION IN LIEU OF A FILING FEE and/or PETITION FOR JUDICIAL OFFICE (for use in a primary election) (PETICIÓN PRESENTADA EN SUSTITUCIÓN DEL PAGO DE DERECHOS DE INSCRIPCIÓN y/o

Name of Circulator Abuthhy

PETICIÓN PARA UN PUESTO OFICIAL JUDICIAL – para efectos de elecciones primarias)

Signing the petition of more than one candidate for the same office in the same election is prohibited. (Se prohibe firmar la petición de más de un candidato para el mismo puesto oficial en la misma elección.) COMPLETE ALL RUANKS GLENE TODOS LOS ESPACIOS EN DUANCO.

COMIT DE L'ANA DE LA TABLE TODOS LOS ESTACIOS EN BLANC			
This statement MUST be read to each person before signing the petition. (ES OBLIGATORIO leer la siguiente declar	ación a todos los firm	antes antes de que la suscribar	n.)
1" know that the purpose of this petition is to entitle PNALYT VM(754 to have their name placed on the hallot for the c	office of lands	66 H. I D.	
primary election. I understand that by signing this petition I become ineligible to vote in a primary election or participate	in a convention of ar	other party, including a party	not holding a primar
i ciccion. Unimp the voting year in which this plantary election is neld. These holds of to cicio de la diesente delicion es inclinar a	ישטע צוות פונת מספרו	han amamaman an 1. L-1	de de la
2 en la elección primaria del Partido 3. Entiendo que al firmar la petición, dejo de tener derecho a votar incluso de un partido que no celebre una elección primaria, durante el año electoral en que se celebre dicha elección primaria.)	en una elección primari	a de otro partido o participar en	la convención del mismo
Date Signed Signature Printed Name Residence Address (Including City, Texas, Zip)			
(Fecha de Firma) (Firma) (Nombre en letra de molde) (Dirección de Residencia (Incluye Ciudad, Estado, Código Postal))	County (Condado)	Voter VUID Number	Date of Birth ⁴
	(Condado)	(Núm de VUID de Votante)	(Fecha de Nacimiento)
12/10/21 /3 / Reon/th/ortgomenty 4 COb LAVENCEY (n	Eggr		
12/10/21 famines Streets Ferrisco Afreedo 4606 Lavender LN.	BexaR		04-22-68
12/10/21 Kenthy alvaredo Cynthiahlvarado 4606 Lavendere LN.	Bexar		09-03-75
12/10/21 Sinfatherman HATEMAN 4602 LAUFABER LN	BEXAR		9-7-53
12/10/21 July D. Ernest E. Brown II 4607 Lovender Ln	Pexer		9.22.53
12/10/21 Dateren Darlene M. Brown 4607 bavender Lin.	Bexar		2-13-56
		 	2-10-56
12/10/21 My Bree PERRY BROWN (015 PECAN VALLEY DIE.	BEXALL		6-10-58
12/10/21 Michael Hughes Michael A. Hugues on 1018 Pecano Vulley DR.	Bugard		1-2-67
12/10/21 Se MASS Roger Eugene Martin 3371 "K" st SanAntonio Tx 78220	Buxar		3. 3. 79
11/10/21 Auch Joyle (AMAN Hugher 4427 Vicksburg	Bexen		2-2-69
AFFIDAVIT OF CIRCULATOR (DECLARACIÓN JURADA DE LA PERSONA QUE HACE CIRCULAF	R LA PETICIÓN) ⁵		
STATE OF TEXAS (ESTADO DE TEJAS) COUNTY OF (CONDADO DE) BEFORE ME, the undersigned, on the left (feebs) compared (1)	is D / BD (date)	personally appeared (ANTE M	I, el/la suscrito(a), en
ENDERDON AND FEAR DIED OF SPRIE DERVIE HE NIME ATTACH HER SENALUE WINE DEHUGI. I WINESSED HE ATTA HIS OF CACH SIMBINE - The COTTECT date At Clark	ina ic chairm an éla	Addition Thomas Control of the second	
and believe that each signature is the genuine signature of the person whose name is signed and that the corresponding of formation for each signer is correct." (quaterción de cada firmante sobre la declaración citada y se la lei antes de que la suscribiera. Atestigüé cada firma, y la fecha correcta de las firmas consta en la petición. Verifiqué le	nien, habiendo prestado e	el juramento correspondiente, decl	aró y dijo: "Llamé la
firma es la auténtica de la persona cuyo nombre aparece firmado y que son exactos los datos correspondientes a cada firmante.") SWORN TO AND SUBSCRIBED BEFORE	a situación de cada nima ME THIS DATE (II	inte en lo concerniente a su inscrip	oción y creo que cada
	AT BING /	RADO I SUSCRITO ANTE MI	, CON ESTA FECHA)
X A	a holic	MICHELLE JEANETTE BARRIENT	ESVELA AL)
Signature of circulator (Firma de la persona que hizo circular la petición) Signature of officer administering oath (Firma del/de la funcionario(a) que le tomó juramento) Title of of	ficer administering	Comm. Expires 07-18	-2023
INSTRUCTIONS AND FOOTNOTES ON BACK (AL DORSO: INSTRUCCIONES Y ANOTACI	IONES)	Notary Public, State of Communication of	ue le tomo juramento)

9/2019

Name of Circulator _ ffheif Wiff

PETITION IN LIEU OF A FILING FEE and/or PETITION FOR JUDICIAL OFFICE (for use in a primary election)

(PETICIÓN PRESENTADA EN SUSTITUCIÓN DEL PAGO DE DERECHOS DE INSCRIPCIÓN y/o

PETICIÓN PARA UN PUESTO OFICIAL JUDICIAL – para efectos de elecciones primarias)

Signing the petition of more than one candidate for the same office in the same election is prohibited. (Se prohibe furnar la petición de más de un candidato para el mismo puesto oficial en la misma elección.)

		COMPLETE	ALL BLANKS. (LLENE TODOS LOS ESPACIOS EN BLANCO	.)		
	This statement MUST	be read to each person before	signing the petition. (ES OBLIGATORIO leer la siguiente declarac	ión a todos los firma	intes antes de que la suscriban.)
"I know that	the purpose of this petition is t	o entitle Albert White	to have their name placed on the ballot for the off	ice of <u>Justic</u>	s of the Pea	Le Put 2 for the
Democr	7 3 primary election.	I understand that by signing this pe	etition I become ineligible to vote in a primary election or participate in	a convention of and	other party, including a party	not holding a primary
election, durin	g the voting year in which this pr	imary election is held." (Reconozco q	ue el objeto de la presente petición es facultar a	1 para que su nomb	re aparezca en la boleta como c	andidato(a) al puesto de
	² en la elección prim	aria del Partido	3. Entiendo que al firmar la petición, dejo de tener derecho a votar en	una elección primaria	de otro partido o participar en la	convención del mismo,
	rtido que no celebre una elección prima	ria, durante el año electoral en que se cele	ore dicha elección primaria.)	T		
Date Signed	Signature	Printed Name	Residence Address (Including City, Texas, Zip) (Dirección de Residencia (Incluye Ciudad, Estado, Código Postal))	County (Condado)	Voter VUID Number	Date of Birth ⁴
(Fecha de Firma)	(Firma)	(Nombre en letra de molde)			(Núm de VUID de Votante)	(Fecha de Nacimiento)
12-10-21	anti o at	HC WIND	IOIO ECAN VALLEY SAN DATONIO, TE	SELAN		11-16-5
12-10.21	Lelena Surgeens		& 2211 DELMARST SUNANTONIO TX	BEXAR		12-28-145
12-10-21	alin Genold	AIVIN ARNOLD	527 Village how	BETAK		1-10-50
12-142/	Instit De	Isabel Riley	322 Astoria S. A Tap 18220	Bever		5-27-57
12-11-21	AngelBeelhum	AngelBeechum	322 Astoria or SATX 78220	Bexar		68-25-93
12-12-21	Agnos Dunasan	Amos Duncan	8927 Wolff Vista Sommerse, Tx.	Bexar		12-08-73
12-12-21	1000	Toby DINatson	9002 SPIRAL WOODS UC. TX 78148	Befall		9.25.74
12-12-24	Book wools	Booker Woods	7015 Doliaz Fall 78272	Bern		5.5.64
12-12-21		EUGENE MITCHELL	4727 OCD COACH 18220	BexADE		2/23/42
12/261	a thin Bloking	Whitney Blackwell	1969 FM 1516 S. SA, 78263	Beter		3/25/1986
, , , , , , , , , , , , , , , , , , ,	0 30 1		TOR (DECLARACIÓN JURADA DE LA PERSONA QUE HACE CIRCULAR I	LA PETICION)		
STATE OF T	EXAS (ESTADO DE TEJAS). ÇOUN	TY OF (CONDADO DE)	BEFORE ME, the undersigned, on this	(date) (\(\frac{1}{2}\)	personally appeared (ANTE MI,	, el/la suscrito(a), en
esta (fecha) con	ipareció) (1 Les + Whi-	(name of person who circulated	l petition,) – (nombre de la persona que hizo circular la petición) who being duly	sworn, deposes and	says: "I called each signer's at	tention to the above
statements and	read them to the signer before the	signer armixed their signature to the pe	tition. I witnessed the affixing of each signature. The correct date of signin ned and that the corresponding information for each signer is correct." (quick	g is shown on me pe	divergente commence diente de la	registration status
and believe the	at each signature is the genuine sign of firmante cobre la declaración citada y	se la lei antes de que la suscribiera. Atesti	gué cada firma, y la fecha correcta de las firmas consta en la petición. Verifiqué la s	situación de cada firma	nte en lo concerniente a su inscrin	ción v creo que codo
firma es la autér	ntica de la persona envo nombre aparece	e firmado y que son exactos los datos corre	espondientes a cada firmante.") SWORN TO AND SUBSCRIBED BEFORE N	ME THIS DATE (π	RADO Y SUSCRITO ANTE MÍ.	CON ESTA FECHA)
1			\mathcal{A}	ALJ B		(SEAL)
		(V)	V.	6-1	MICHELLE JEANETTE BARRIET	TO LOCALI)
X/			Till A CO		MICHELLE JEANETTE BARRIET Notary Public, State of the st	TIES VELA
Signature of c	irculator (Firma de la persona que hizo circular		ministering oath (Firma del/de la funcionario(a) que le tomó juramento) Title of offi ND FOOTNOTES ON BACK (AL DORSO: INSTRUCCIONES Y ANOTACIO	oer administering da	OF CF OF THE TRANSPORT OF THE PROPERTY OF THE	ić le Tomas i ramento)
		INSTRUCTIONS A	IND POOT TO TES ON DACK (AL DORSO: INSTRUCCIONES TANOTACIO	(Gara	Winter Notary In 124500	

PETITION IN LIEU OF A FILING FEE and/or PETITION FOR JUDICIAL OFFICE: (for use in a primary election) (PETICIÓN PRESENTADA EN SUSTITUCIÓN DEL PAGO DE DERECHOS DE INSÚ RIPCIÓN y/o

Name of Circulator Allers House

Page ZZ of

PETICIÓN PARA UN PUESTO OFICIAL JUDICIAL - para efectos de elecciones primarias)

Signing the petition of more than one candidate for the same office in the same election is probable election.)

r		COMPLETI	E ALL BLANKS. (LLENE TODOS LOS ESPAÇIOS EN BLANCO).)		
	This statement MUST	be read to each person before	e signing the petition. (ES OBLIGATORIO leer la signiente declarace	ión a todos los firms	ntos entes de esse la esse d	<u> </u>
"I know that						
[3 primary election.	. I understand that by signing this p	etition I become ineligible to vote in a primary election or participate in	a convention of and	10 of the Peace	- Yurul 2 for the
election, during			que el objeto de la presente petición es facultar a	1 para due di nomb	mer party, including a party	not holding a primary
i .	² en la elección prin	naria del Partido	³ Entiendo que al firmar la petición, deio de tener deserba en extraction	una elección primaria	re aparezca en la boleta como c	andidato(a) al puesto de
incluso de un par	rtido que no celebre una elección prima	ria, durante el año electoral en que se cele		vivoson primariu	de one partido o participar en ta	i convencion del mismo,
Date Signed (Fecha de Firma)	Signature (Firma)	Printed Name (Nombre en letra de molde)	Residence Address (Including City, Texas, Zip)	County	Voter VUID Number ⁴	D-4 CD: 414
(recha de ritina)	(rima)	(Nombre en letta de molde)	(Dirección de Residencia (Incluye Ciudad, Estado, Código Postal))	(Condado)	(Núm de VUID de Votante)	Date of Birth ⁴ (Fecha de Nacimiento)
19-11-91	Bay Bus	Beverly Slauchtes	4523 Lavender Ln # 204	Dexay		B/1/(1/2
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statements and	read them to the signer before the s	igner affixed their signature to the pet	ision. I missioned the Commerce of the cutoffind in petitions, who being duty s	sworn, deposes and sa	ays: "I called each signer's att	ention to the above
and believe that	t each signature is the genuine signa	ature of the person whose name is sign	thon. I witnessed the arrixing of each signature. The correct date of signing and that the corresponding information for each signer is correct." (quiet rije cada firms, y la fecha corrects de las firms, constant la national. Variety of la national design.	s is shown on the peti	tion. I verified each signer's r	egistration status
atención de cada	firmante sobre la declaración citada y s	e la lei antes de que la suscribiera. Atestig	gue and mat me corresponding information for each signer is correct." (quier gue cada firma, y la fecha correcta de las firmas consta en la petición. Verifiqué la si spondientes a cada firmante.") SWORN TO AND SUBSCRIBED REPORTE MA	i, nacion de cada firmani	Juramento correspondiente, declar	ó y dijo: "Llamé la
firma es la autépti	isa de la persona cuyo nombre aparece	firmado y que son exactos los datos corres	spondientes a cada firmante.") SWORN TO AND SUBSCRIBED BEFORE M	E THIS DATE (TIP	ADO V SUSCEITO ANTEN A	ion y creo que cada
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X / C		$X \longrightarrow X$	X	olk	MICHELLE JEANETTE BARRII	WITES VECT
Signature of dire	culator (Firma de la persona que hizo circular la		inistering oath (Firma del/de la funcionario(a) que le tomó juramento) Title of offic	er administering on	Notary Public, State	of Texas
		INSTRUCTIONS AN	D FOOTNOTES ON BACK (AL DORSO: INSTRUCCIONES Y ANOTACION	A worth matering on	This office de De la función in 12452	'P'tonio juramento)
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PETITION IN LIEU OF A FILING FEE and/or PETITION FOR JUDICIAL OFFICE (for use in a primary election) (PETICIÓN PRESENTADA EN SUSTITUCIÓN DEL PAGO DE DERECHOS DE INSCRIPCIÓN y/o

Name of Circulator fly White

Title of officer administering oath (Titule

PETICIÓN PARA UN PUESTO OFICIAL JUDICIAL - para efectos de elecciones primarias)

Signing the petition of more than one candidate for the same office in the same election is prohibited. (Se prohibe firmar la petición de más de un candidato para el mismo puesto oficial en la misma elección.) COMPLETE ALL DIANKS GLENE TODOS LOS ESPACIOS EN DIANGO

			ALL BLANKS. (LLENE TODOS LOS ESPACIOS EN BLANCO			•
	This statement MUST	be read to each person before	e signing the petition. (ES OBLIGATORIO leer la siguiente declarac	ción a todos los firma	intes antes de que la suscribar	1)
"I know that	the purpose of this petition is t	to entitle Albert Whitby	¹ to have their name placed on the ballot for the off	fice of dasher a	of the Peace PG-4	2 for the
Democrat	³ primary election.	. I understand that by signing this pe	etition I become ineligible to vote in a primary election or participate in	a convention of ano	ther party including a party	r not halding a
election, during	ig the voting year in which this pri	imary election is neid." (Reconozco q	que el objeto de la presente petición es facultar a	1 nara due su nombr	re anatezca en la baleta noma.	nom dielete (a) -1
	* en la elección dele	naria del Parddo	". PUBLICACIÓ DE AL TITMAT LA DEDICIÓN DESO DE SENER DETECHA a Matar en	una elección primaria	de otro partido o participar en :	la convención del mismo
		ria, durante el año electoral en que se celel	ore dicha elección primaria.)			
Date Signed (Fecha de Firma)	Signature (Firma)	Printed Name (Nombre en letra de molde)	Residence Address (Including City, Texas, Zip) (Dirección de Residencia (Incluye Ciudad, Estado, Código Postal))	County (Condado)	Voter VUID Number ⁴	Date of Birth ⁴
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		AFFIDAVIT OF CIRCULA	TOR (DECLARACIÓN JURADA DE LA PERSONA QUE HACE CIRCULAR I	Δ ΣΕΤΤΟΙΌΝΟ5	<u> </u>	
STATE OF TE	EXAS (ESTADO DE TEJAS) ÇOUN	TY OF (CONDADO DE)	BEFORE ME, the undersigned on this	12/R/\/(date)n	nersonally appeared (ANTE M	I el/le mucrita(e) en
esta (fecha) com	pareció) Albert Whit	(name of person who circulated	Deniion.) — (nombre de la persona que hizo circular la netición) who heino duly	SWOTH denoces and a	earre: "I called each cioner's a	Hantion to the . T
statements and	l read them to the signer before the s	signer attixed their signature to the pet	ution. I witnessed the affixing of each signature. The correct date of signin-	g is shown on the net	tition. I verified each cioner's	Tariotrotian status
and believe tha	at each signature is the genuine signa	ature of the person whose name is sign	ned and that the corresponding information for each signer is correct " (mie	en habiendo prectodo el	l intermente comprenendiante deci	In-6 325 - 667 1 (1
atención de cada	a firmante sobre la declaración citada y s	se la lei antes de que la suscribiera. Atestis	güé cada firma, y la fecha correcta de las firmas consta en la petición. Verifica é la s	situación de cada firman	nte en la concerniente a su inscrie	maión anon
nrma es la auten	Anca de la persona cuyo nombre aparece	nimado y que son exactos los datos corre	spondientes a cada firmante.") SWORN TO AND SUBSCRIBED BEFORE N	AE THIS DATE (JUF	RADO Y SUSCRITO ANTE MÍ	, CON ESTA FECHA)
) /		1. b	374	MICHELLE JEAN	NETTE STRIPENTES VELA
X		< X \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \	X	ublic	h (Titule of example 1 funcionario(a) d	lic, State of Texas
Signature/of cir	ICUIATOT (Firma de la persona que hizo circular l	la pención) Signature of officer adm	ninistering oath (Firms del/de la funcionario(a) que le tomó juramento) Title of offic	cer administering oat	h (Titula preference) funcionario(a)	pires 07-18-2023

INSTRUCTIONS AND FOOTNOTES ON BACK (AL DORSO: INSTRUCCIONES Y ANOTACIONES)

AW2-3

PETIT Prescribed by Secretary of State

Sections 141.062, 141.063, 141.064, 141.065, 172.021, 172.025, 172.027 Texas Election Code 9/2019

Signing

Prescribed by Secretary of State

9/2019

Sections 141,062, 141,063, 141,064, 141.065, 172.021, 172.025, 172.027 Texas Election Code

PETITION IN LIEU OF A FILING FEE and/or PETITION FOR JUDICIAL OFFICE (for use in a primary election) (PETICIÓN PRESENTADA EN SUSTITUCIÓN DEL PAGO DE DERECHOS DE INSCRIPCIÓN y/o

Name of Circulator Amthum

PETICIÓN PARA UN PUESTO OFICIAL JUDICIAL - para efectos de elecciones primarias)

Signing the petition of more than one candidate for the same office in the same election is prohibited. (Se prohibe firmer la petición de más de un candidato para el mismo puesto oficial en la misma elección.) COMPLETE ALL BLANKS. (LLENE TODOS LOS ESPACIOS EN BLANCO.) This statement MUST be read to each person before signing the petition. (ES OBLIGATORIO leer la signiente declaración a todos los firmantes antes de que la suscriban.) "I know that the purpose of this petition is to entitle Albert" to have their name placed on the ballot for the office of Justice of the Pence Pert ² for the ³ primary election. I understand that by signing this petition I become ineligible to vote in a primary election or participate in a convention of another party, including a party not holding a primary Paracount election, during the voting year in which this primary election is held." (Reconozco que el objeto de la presente petición es facultar a 1 para que su nombre aparezca en la boleta como candidato(a) al puesto de 2. Entiendo que al firmar la petición, dejo de tener derecho a volar en una elección primaria de otro participar en la convención del mismo. ² en la elección primaria del Partido incluso de un partido que no celebre una elección primaria, durante el año electoral en que se celebre dicha elección primaria.) Residence Address (Including City, Texas, Zip) Printed Name County Voter VUID Number4 Date Signed Signature Date of Birth4 (Dirección de Residencia (Incluye Ciudad, Estado, Código Postal)) (Condado) (Núm de VUID de Votante) (Nombre en letra de molde) (Fecha de Firma) (Fecha de Nacimiento) AFFIDAVIT OF CIRCULATOR (DECLARACIÓN JURADA DE LA PERSONA QUE HACE CIRCULAR LA PETICIÓN)⁵

STATE OF TEXAS (ESTADO DE TEJAS) COUNTY OF (CONDADO DE)

STATE OF TEXAS (ESTADO DE TEJAS) COUNTY OF (CONDADO DE)

(name of person who circulated petition,) – (nombre de la persona que hizo circular la petición) who being duly sworm, deposes and says: "I called each signer's attention to the above statements and read them to the signer before the signer affixed their signature to the petition. I witnessed the affixing of each signature. The correct date of signing is shown on the petition. I verified each signer's registration status and believe that each signature is the genuine signature of the person whose name is signed and that the corresponding information for each signer is correct." (quien, habiendo prestado el juramento correspondiente, declaró y dijo: "Llumé la atención de cada firmante sobre la declaración citada y se la lei antes de que la suscribiera. Atestigüé cada firma, y la fecha correcta de las firmas consta en la petición. Verifiqué la situación de cada firmante en lo concerniente a su inscrinción. firma es la autentica de la persona cuyo nombre aparece firmado y que son exactos los datos correspondientes a cada firmante.") SWORN TO AND SUBSCRIBED BEFORE ME THIS DATE (JURI Signature of officer administering oath (Firms del/de la funcionario(a) que le tomó jurament Title of officer administering oatl Signature of circulator (Firmo de la persona que hizo circular la petición) INSTRUCTIONS AND FOOTNOTES ON BACK (AL DORSO: INSTRUCCIONES Y ANOTACIONES)

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STATE OF TE esta (fecha) comp	XAS (ESTADO DE TEJAS) pareció)
	read them to the signer before teach signature is the genuite
atención de cada	firmante sobre la declaración c tica de la persona cuyo nombre

Signature of circulator (Firma de la persona que hizo

PETITION IN LIEU OF A FILING FEE and/or PETITION FOR JUDICIAL OFFICE (for use in a primary election) (PETICIÓN PRESENTADA EN SUSTITUCIÓN DEL PAGO DE DERECHOS DE INSCRIPCIÓN y/o

Name of Circulator

Page 21 of 75

PETICIÓN PARA UN PUESTO OFICIAL JUDICIAL – para efectos de elecciones primarias)

Signing the petition of more than one candidate for the same office in the same election is prohibited. (Se prohibe firmar la petición de más de un candidato para el mismo puesto oficial en la misma elección.) COMPLETE ALL BLANKS. (LLENE TODOS LOS ESPACIOS EN BLANCO.)

	This statement MUST	` be read to each person befo	re signing the petition. (ES OBLIGATORIO I	eer le cignieute declare			
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	the voting year in which this pr	rimary election is held." (Reconozco	o que el objeto de la presente petición es facultar a	ection of participate in	a convention of ano	ther party, including a party	not holding a primary
	² en la elección prin	naria del Partido	³ Entiendo oue al firmar la netición dejo de	tener derecho e votor en	, para que su nombi	e aparezca en la boleta como c	andidato(a) al puesto de
incluso de un part	tido que no celebre una elección prima	aria, durante el año electoral en que se ce	elebre dicha elección primaria.)	senci delecito a socat en	ина елесской ргимана	de otro partido o participar en la	i convención del mismo,
Date Signed	Signature	Printed Name	Residence Address (Including City, Texas, Zip)		County	Voter VUID Number4	T
(Fecha de Firma)	(Pilpna)	(Nombre en letra de molde)	(Dirección de Residencia (Incluye Ciudad, Estado, Código Pos	stal))	(Condado)	(Núm de VUID de Votante)	Date of Birth4
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		AFFIDAVIT OF CIPCIII	ATOR (DECLARACIÓN JURADA DE LA PERSONA Ç				
STATE OF TEX	XAS (ESTADO DE TEJAS). COUN	TY OF (CONDADO DE)	DEFORE ME A	Language 3 and 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	· 1 · 1		
esta (fecha) como	areció) 1) lla la la la la la	a / (name of nerson who circulate	of petition,) - (nombre de la persona que hizo circular la pe	ne undersigned, on this	≥ /13/ ≥ (date) po	ersonally appeared (ANTE MI,	el/la suscrito(a), en
statements and r	read them to the signer before the s	igher affixed their signature to the n	etition. I witnessed the affixing of each signature. The	encion) who being duly s	worn, deposes and sa	ays: "I called each signer's at	tention to the above
firma es la autenti	ca de la persona cuyo nombre aparece	firmado y que son exactos los datos con	respondientes a cada firmante.") SWORN TO AND SUE	SCRIBED REFORE M	CHACTOR DE CADA TETMANI	te en lo concerniente a su inscripc	ción y creo que cada
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		^		X Tuk	2/1C	Notary P	ublic, State of Texas
signature of circ	culator (Firma de la persona que hizo circular l		ministering oath (Firms del/de la funcionario(a) que le tomó juramen	no) Title of offic	er administering oath	(Titulo ofice I de le ja juncional (de) que	Exolog 07-18-2023
	***	INSTRUCTIONS A	AND FOOTNOTES ON BACK (AL DORSO: INSTRUC	CCIONES Y ANOTACIO	NES)	Notar Notar	y ID 124522846

PETITION IN LIEU OF A FILING FEE and/or PETITION FOR JUDICIAL OFFICE (for use in a primary election)

Name of Circulator How white

the distribution of the proper pages

Notary ID 124522846

Title of officer administering oath (1

(PETICIÓN PRESENTADA EN SUSTITUCIÓN DEL PAGO DE DERECHOS DE INSCRIPCIÓN y/o PETICIÓN PARA UN PUESTO OFICIAL JUDICIAL - para efectos de elecciones primarias)

Signing the petition of more than one candidate for the same office in the same election is prohibited. (Se prohibe firmar la petición de más de un candidato para el mismo puesto oficial en la misma elección.) COMPLETE ALL BLANKS. (LLENE TODOS LOS ESPACIOS EN BLANCO.) This statement MUST be read to each person before signing the petition. (ES OBLIGATORIO leer la signiente declaración a todos los firmantes antes de que la suscriban.) "I know that the purpose of this petition is to entitle Albut whitm 1 to have their name placed on the ballot for the office of Justice of the Peace 3 primary election. I understand that by signing this petition I become ineligible to vote in a primary election or participate in a convention of another party, including a party not holding a primary election, during the voting year in which this primary election is held." (Reconozco que el objeto de la presente petición es facultar a ___ para que su nombre aparezca en la boleta como candidato(a) al puesto de ² en la elección primaria del Partido 2. Entiendo que al firmar la petición, dejo de tener derecho a votar en una elección primaria de otro partido o participar en la convención del mismo, incluso de un partido que no celebre una elección primaria, durante el año electoral en que se celebre dicha elección primaria.) Date Signed Signature Printed Name Residence Address (Including City, Texas, Zip) (Fecha de Firma) County (Firma) (Nombre en letra de molde) Voter VUID Number⁴ (Dirección de Residencia (Incluye Ciudad, Estado, Código Postal)) Date of Birth4 (Condado) (Núm de VUID de Votante) Subu Sprawling Susan Sprawling 731 PEBBLE BROOK SA ANTONIO TX 18220 BETAR Margarett Sprawling 731 PEBBLE BROOK SA ANTONIO TX 18220 BETAR laybon Sprawling 731 PEBBLE BROOK SA ANTONIO TX 18220 BETAR (Fecha de Nacimiento) AFFIDAVIT OF CIRCULATOR (DECLARACIÓN JURADA DE LA PERSONA QUE HACE CIRCULAR LA PETICIÓN)⁵ STATE OF TEXAS (ESTADO DE TEJAS) GOUNTY OF (CONDADO DE) Y RICHAM BEFORE ME, the undersigned, on this 12/13/2 (date) personally appeared (ANTE MI, el/la suscrito(a), en esta (fecha) compareció) (name of person who circulated petition,) – (nombre de la persona que hizo circular la petición) who being duly sworn, deposes and says: "I called each signer's attention to the above statements and read them to the signer before the signer affixed their signature to the petition. I witnessed the affixing of each signature. The correct date of signing is shown on the petition. I verified each signer's registration status and believe that each signature is the genuine signature of the person whose name is signed and that the corresponding information for each signer is correct." (quien, habiendo prestado el juramento correspondiente, declaró y dijo: "Llamé la atención de cada firmante sobre la declaración citada y se la lei antes de que la suscribiera. Atestigüé cada firma, y la fecha correcta de las firmas consta en la petición. Verifiqué la situación de cada firmante en lo concerniente a su inscripción y creo que cada firma es/la autérifica de la persona cuyo nombre aparece firmado y que son exactos los datos correspondientes a cada firmante.") SWORN TO AND SUBSCRIBED BEFORE ME THIS DATE (JURADO Y SUSCRITO ANTE MÍ, CON ESTA FECHA) MICHELLE JEANETTE BARRIENTES VELÁ Signature of circulator (Firma de la persona que hizo circular la petición) Notary Public, State of Texas Signature of officer administering oath (Firma del/de la funcionario(a) que le tomó juramento)

INSTRUCTIONS AND FOOTNOTES ON BACK (AL DORSO: INSTRUCCIONES Y ANOTACIONES)

PETITION IN LIEU OF A FILING FEE and/or PETITION FOR JUDICIAL OFFICE (for use in a primary election) (PETICIÓN PRESENTADA EN SUSTITUCIÓN DEL PAGO DE DERECHOS DE INSCRIPCIÓN y/o

PETICIÓN PARA UN PUESTO OFICIAL JUDICIAL – para efectos de elecciones primarias)

Name of Circulator _ flow this

Notary ID 124522846

Signing the petition of more than one candidate for the same office in the same election is prohibited. (Se prohibe firmar la petición de más de un candidato para el mismo puesto oficial en la misma elección.)

	COM	MPLETE ALL BLANKS. (LLENE TODOS LOS ESPACIO	rohibe firmar la petición de más de un ca	ndidato para el mismo puesto oficia	en la misma elección.)
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Fecha de Firma) (Firma)	1 imied Name	Residence Address (Including City Tayon 7in)			
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ATE OF TEXAS (ESTADO DE TEJAS	AFFIDAVIT OF CIT	RCULATOR (DECLARACIÓN JURADA DE LA PERSONA QUE HAC	E CIRCULAR LA PETICIÓN)5	1	<u> </u>
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tements and read them to the signer be	fore the signer affixed their signature to	rculated petition,) – (nombre de la persona que hizo circular la petición) von the petition. I witnessed the affixing of each signature. The correction of the petition.	ho being duly sworn, deposes and	save. "I called each cicare," of	, el/la suscrito(a), en
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na es la auténtica de la persona cuyo nombi	re aparece firmado y que son exactos los da	ne is signed and that the corresponding information for each signer is a. Atestigüé cada firma, y la fecha correcta de las firmas consta en la petició tos correspondientes a cada firmante.") SWORN TO AND SUBSCRIBI	n. Verifiqué la situación de cada firma	nte en la concerniente a en incerie	ro y dijo: "Llamé la
1347		a. Atestigüé cada firma, y la fecha correcta de las firmas consta en la petició tos correspondientes a cada firmante.") SWORN TO AND SUBSCRIBI	ED BEFORE ME THIS DATE (JU	RADO Y SUSCRITO ANTE NAT	CON FOR THE
	-		- Abstrary	- 1000 ANTE MI,	CON ESTA FECHA)
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	INSTRUCTION	ONS AND FOOTNOTES ON BACK (AL DORSO: INSTRUCCIONES	Title of officer administering oat	h (Titulo ofice Etakok a fifecionario (2) mi	Edestoria imperatoria
		AL DURSO: INSTRUCCIONES	Y ANOTACIONES)	SE Worker	XDITES 10404642023

PETITION IN LIEU OF A FILING FEE and/or PETITION FOR JUDICIAL OFFICE (for use in a primary election)

(PETICIÓN PRESENTADA EN SUSTITUCIÓN DEL PAGO DE DERECHOS DE INSCRIPCIÓN y/o PETICIÓN PARA UN PUESTO OFICIAL JUDICIAL - para efectos de elecciones primarias)

Name of Circulator Affect whites Page 24 of 37

Signing the petition of more than one candidate for the same office in the same election is prohibited. (Se prohibe firmar la petición de más de un candidato para el mismo puesto oficial en la misma elección.) COMPLETE ALL BLANKS. (LLENE TODOS LOS ESPACIOS EN BLANCO.) This statement MUST be read to each person before signing the petition. (ES OBLIGATORIO leer la siguiente declaración a todos los firmantes antes de que la suscriban.) "I know that the purpose of this petition is to entitle Albert which to have their name placed on the ballot for the office of while of the Perce ³ primary election. I understand that by signing this petition I become ineligible to vote in a primary election or participate in a convention of another party, including a party not holding a primary Democrat

election, during the voting year in which this primary election is held." (Reconozco que el objeto de la presente petición es facultar a 1 para que su nombre aparezca en la boleta como candidato(a) al puesto de ² en la elección primaria del Partido 3. Entiendo que al firmar la petición, dejo de tener derecho a votar en una elección primaria de otro partido o participar en la convención del mismo, incluso de un partido que no celebre una elección primaria, durante el año electoral en que se celebre dicha elección primaria.) Date Signed Signature Printed Name Residence Address (Including City, Texas, Zip) (Fecha de Firma) (Firma) County (Nombre en letra de molde) Voter VUID Number4 (Dirección de Residencia (Incluye Ciudad, Estado, Código Postal)) Date of Birth4 (Condado) (Núm de VUID de Votante) (Fecha de Nacimiento) James Boxar 5046 Seabreeze Dr. SATX 78220 707122 Gulf Shon Blvol SAT 78244

AFFIDAVIT OF CIRCULATOR (DECLARACIÓN JURADA DE LA PERSONA QUE HACE CIRCULAR LA PETICIÓN)⁵ STATE OF TEXAS (ESTADO DE TEJAS) COUNTY OF (CONDADO DE) LXAN BEFORE ME, the undersigned, on this / / B/2 (date) personally appeared (ANTE MI, el/la suscrito(a), en esta (fecha) compareción (name of person who circulated petition,) – (nombre de la persona que hizo circular la petición) who being duly sworn, deposes and says: "I called each signer's attention to the above statements and read them to the signer before the signer affixed their signature to the petition. I witnessed the affixing of each signature. The correct date of signing is shown on the petition. I verified each signer's registration status and believe that each signature is the genuine signature of the person whose name is signed and that the corresponding information for each signer is correct." (quien, habiendo prestado el juramento correspondiente, declaró y dijo: "Llamé la atención de cada firmante sobre la declaración citada y se la lei antes de que la suscribiera. Atestigüé cada firma, y la fecha correcta de las firmas consta en la petición. Verifiqué la situación de cada firmante en lo concerniente a su inscripción y creo que cada firma es la autéstica de la persona cuyo nondere aparece firmado y que son exactos los datos correspondientes a cada firmante.") SWORN TO AND SUBSCRIBED REFORE ME THIS DATE (JURADO Y SUSCRITO ANTE MÍ, CON ESTA FECHA)

Signature of circulator (Firma de la persona que hizo circular la petición)

Signature of officer administering oath (Firms del/de la funcionario(s) que le tomó juramento)

Title of officer administering oath (Titule

MICHELLE JEANE NE BARRIENTES VELA Notery Public, State of Texas 540 AD 25 Comma 540 188.07 118-2023 Notary ID 124522846

INSTRUCTIONS AND FOOTNOTES ON BACK (AL DORSO: INSTRUCCIONES Y ANOTACIONES)

PETITION IN LIEU OF A FILING FEE and/or PETITION FOR JUDICIAL OFFICE (for use in a primary election) (PETICIÓN PRESENTADA EN SUSTITUCIÓN DEL PAGO DE DERECHOS DE INSCRIPCIÓN y/o

PETICIÓN PARA UN PUESTO OFICIAL JUDICIAL – para efectos de elecciones primarias)

Name of Circulator _ About whithy

Signing the petition of more than one candidate for the same office in the same election is prohibited. (Se prohibe firmar la petición de más de un candidato para el mismo puesto oficial en la misma elección.)

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election, during the voting year in which this p	primary election is held." (Reconozco	que el obieto de la presente petición es focultar.	non or participate in	a convention of and	ther party, including a party n	lot holding a primary
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(Fecha de Firma) (Firma)	(Nombre en letra de molde)	Residence Address (Including City Texas, 7in)		County		
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STATE OF TEXAS (ESTADO DE TEJAS), COUN	TY OF (CONDADO DE)	BEFORE ME thou	HACE CIRCULAR L	A PETICIÓN) ⁵		
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and believe that each signeture is the convince signer	igner affixed their signature to the pe	I petition,) — (nombre de la persona que hizo circular la peticitition. I witnessed the affixing of each signature. The coned and that the corresponding information for each signification for each signification for each signification for each signification.	on) who being dify s	worn, deposes and sa	ys: "I called each signer's atten	ition to the above
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PETITION IN LIEU OF A FILING FEE and/or PETITION FOR JUDICIAL OFFICE (for use in a primary election) (PETICIÓN PRESENTADA EN SUSTITUCIÓN DEL PAGO DE DERECHOS DE INSCRIPCIÓN y/o PETICIÓN PARA UN PUESTO OFICIAL JUDICIAL – para éfectos de elecciones primarias)

Name of Circulator Albus White

Page 31

Notary ID 124522846

Signing the petition of more than one candidate for the same office in the same election is prohibited. (Se prohibe firmar la petición de más de un candidato para el mis

		COMPLET	E ALL BLANKS. (LLENE TODOS LOS ESPACIOS EN BLANCO)	idato para el mismo puesto oficial o	en la misma elección.)
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election, durin	g the voting year in which this pr	imary election is held." (Reconozco	que el objeto de la presente petición es facultar a	a convention of and	ther party, including a party	not holding a n-i
			Friends are all from the district the state of the state	¹ para que su nomb	re aparezca en la boleta como o	andidato(a) al manta 1
incluso de un par	rtido que no celebre una elección prima	ria, durante el año electoral en que se cele	³ . Entiendo que al firmar la petición, dejo de tener derecho a votar en ebre dicha elección primaria.)	una elección primaria	de otro partido o participar en l	a convención del mismo
Date Signed	Signature	Printed Name	Residence Address (Including City, Texas, Zip)			a convenient del musino
(Fecha de Firma)	(Firma)	(Nombre en letra de molde)	(Dirección de Residencia (Incluye Ciudad, Estado, Código Postal))	County	Voter VUID Number ⁴	Date of Birth ⁴
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esta (techa) como	parecial No. 1 2 . 1 1-1-	((name of name - la)	BEFORE ME, the undersigned, on this V	2/13/51 (date) no	reanolly annound (4) was	
statements and	read them to the signer before the of	, (name of person who circulated)	petition,) – (nombre de la persona que hizo circular la petición) who being duly su tion. I witnessed the affixing of each signature. The correct date of signing ed and that the corresponding information for each signer is correct." (quien	worn denoses and co	resonarry appeared (ANTE MI,	el/la suscrito(a), en
firma es la auténti	ica de la nersona cuvo nombre anarece i	Etmodo y que con exectos los detectig	ue cada firma, y la fecha correcta de las firmas consta en la petición. Verifiqué la sit	uación de cada firmant	en la conserviente, declar	ó y díjo: "Llamé la
	Farsona onto nomine abatece	armado y que son exactos tos datos corres	nié cada firma, y la fecha correcta de las firmas consta en la petición. Verifiqué la sit pondientes a cada firmante.") SWORN TO AND SUBSCRIBED BEFORE MI	E THIS DATE (TIR	ADO V SUSCOPTO AND A A	ion y creo que cada
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PETITION IN LIEU OF A FILING FEE and/or PETITION FOR JUDICIAL OFFICE (for use in a primary election)

(PETICIÓN PRESENTADA EN SUSTITUCIÓN DEL PAGO DE DERECHOS DE INSCRIPCIÓN y/o

PETICIÓN PARA UN PUESTO OFICIAL JUDICIAL – para efectos de elecciones primarias) Name of Circulator Albert White

Signing the petition of more than one candidate for the same office in the same election is prohibited. (Se prohibe firmar la petición de más de un candidato para el mismo puesto oficial en la misma elección.)

COMPLETE ALL BLANKS. (LLENE TODOS LOS ESPACIOS EN BLANCO.)

This statement MUST be	e read to each person before	signing the netition. (ES OBLIGATORIO Inc.)	NCO.)		
"I know that the purpose of this petition is to e	entitle Albert whiten	e signing the petition. (ES OBLIGATORIO leer la significant for the hallot for the	claración a todos los firma	ntes antes de que la suscriban.)	
Beaut/Democrat 3 primary election. I	understand that by signing this pe	etition I become inclinible to the inclinible to	e office of	e of the Pence Per	2 for the
election, during the voting year in which this prima	ary election is held." (Reconozco q	ue el objeto de la presente petición an fraulta-	me in a convention of and	other party, including a party n	of holding a primore
² en la elección primaria incluse de un partido que no celebre una elección primaria,			para que su nomb	re aparezca en la boleta como ca	ndidato(a) al puesto de
Date Signed Signature Pr	rinted Name	ore dicha elección primaria.)		de otro partido o participar en la	convención del mismo.
1 0 10	Vambre en letra de molde)	Residence Address (Including City, Texas, Zip) (Dirección de Residencia (Incluye Ciudad, Estado, Código Postal))	County	Voter VUID Number	T
		(Monorada (Michaye Ciduad, Estado, Codigo Postal))	(Condedo)	(Núm de VUID de Votante)	Date of Birth ⁴
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PETITION IN LIEU OF A FILING FEE and/or PETITION FOR JUDICIAL OFFICE (for use in a primary election) (PETICIÓN PRESENTADA EN SUSTITUCIÓN DEL PAGO DE DERECHOS DE INSCRIPCIÓN y/o PETICIÓN PARA UN PUESTO OFICIAL JUDICIAL - para efectos de elecciones primarias)

Name of Circulator Astor that

Signing the petition of more than one candidate for the same office in the same election is prohibited. (Se prohibe firmar la petición de más de un candidato para el mismo puesto oficial en la misma elección.)

COMPLETE ALL BLANKS. (LLENE TODOS LOS ESPACIOS EN BLANCO.)

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PETITION IN LIEU OF A FILING FEE and/or PETITION FOR JUDICIAL OFFICE (for use in a primary election)

(PETICIÓN PRESENTADA EN SUSTITUCIÓN DEL PAGO DE DERECHOS DE INSCRIPCIÓN y/o
PETICIÓN PARA UN PUESTO OFICIAL JUDICIAL – para efectos de elecciones primarias)

Name of Circulator Africa & Maky Page 34 of 45

Comm. Expires 07-18-2023 Notary ID 124**52284**6

Signing the petition of more than one candidate for the same office in the same election is prohibited. (Se prohibe firmar la petición de más de un candidato para el mismo puesto official en la misma elección.) COMPLETE ALL BLANKS. (LLENE TODOS LOS ESPACIOS EN BLANCO.) This statement MUST be read to each person before signing the petition. (ES OBLIGATORIO leer la siguiente declaración a todos los firmantes antes de que la suscriban.) "I know that the purpose of this petition is to entitle Albert whaten 1 to have their name placed on the ballot for the office of ³ primary election. I understand that by signing this petition I become ineligible to vote in a primary election or participate in a convention of another party, including a party not holding a primary Justice of the peace Pct 42 for the election, during the voting year in which this primary election is held." (Reconozco que el objeto de la presente petición es facultar a i para que su nombre aparezca en la boleta como candidato(a) al puesto de 2 en la elección primaria del Partido 3. Entiendo que al firmar la petición, dejo de tener derecho a votar en una elección primaria de otro partido o participar en la convención del mismo, incluso de un partido que no colobre una elección primaria, durante el año electoral en que se celebre dicha elección primaria.) Date Signed Signature Printed Name Residence Address (Including City, Texas, Zip) (Fecha de Firma) (Nombre en letra de moide) (Dirección de Residencia (Incluye Ciudad, Estado, Código Postal)) County Voter VUID Number4 Date of Birth4 (Condado) (Núm de VUID de Votante) (Fecha de Nacimiento) O129.1981 Beam Bexar BEML. Beyon Belai STATE OF TEXAS (ESTADO DE TEJAS) COUNTY OF (CONDADO DE)

AFFIDAVIT OF CIRCUMATOR (DECLARACIÓN JURADA DE LA PERSONA QUE HACE CIRCULAR LA PETICIÓN)

BEFORE MB, the undersigned, on this 1/2 2 / 4 BEFORE ME, the undersigned, on this (flate) personally appeared (ANTE MI, el/la suscrito(a), en esta (fecha) compareció) (name of person who circulated petition,) - (nombre de la persona que hizo circular la petición) who being duly sworn, deposes and says: "I called each signer's attention to the above statements and read them to the signer before the signer affixed their signature to the petition. I witnessed the affixing of each signature. The correct date of signing is shown on the petition. I verified each signer's registration status and believe that each signature is the genuine signature of the person whose name is signed and that the corresponding information for each signer is correct." (quien, habiendo prestado el juramento correspondiente, declaró y dijo: "Llamé la atin beneve mat cach signature is the genuine signature of the genuine attention de cada irritante soore la declaración enada y se la lei alles de que la sasolitetta y creo que cada firmante.") SWORN TO AND SUBSCRIBED BEFORE ME THIS DATE (JURADO Y SUSCRITO ANTE MÍ, CON ESTA FECHA) X (SEAL) Signature of circulator (Firma de la persona que lizo circular la petición) Signature of officer administering oath (Firms del'de la funcionario(a) que le tomé juramento) MICHELLE JEANETTE BARRIENTES VEL Title of officer administering oath INSTRUCTIONS AND FOOTNOTES ON BACK (AL DORSO: INSTRUCCIONES Y ANOTACIONES) Richard a use le tonic justille May Notary Public, State of Texas

34

PETITION IN LIEU OF A FILING FEE and/or PETITION FOR JUDICIAL OFFICE (for use in a primary election)

(PETICIÓN PRESENTADA EN SUSTITUCIÓN DEL PAGO DE DERECHOS DE INSCRIPCIÓN y/o PETICIÓN PARA UN PUESTO OFICIAL JUDICIAL - para efectos de elecciones primarias)

Name of Circulator Athert Chifty Page 95

Signing the petition of more than one candidate for the same office in the same election is prohibited. (Se prohibe firmar la petición de más de un candidato para el mismo puesto oficial en la misma elección.) COMPLETE ALL BLANKS. (LLENE TODOS LOS ESPACIOS EN BLANCO.) This statement MUST be read to each person before signing the petition. (ES OBLIGATORIO leer la siguiente declaración a todos los firmantes antes de que la suscriban.) "I know that the purpose of this petition is to entitle Albert whithy to have their name placed on the ballot for the office of 3 primary election. I understand that by signing this petition I become ineligible to vote in a primary election or participate in a convention of another party, including a party not holding a primary Demo met election, during the voting year in which this primary election is held." (Reconozco que el objeto de la presente petición es facultar a 2. Entiendo que al firmar la petición, dejo de tener derecho a votar en una elección primaria de otro partido o participar en la convención del mismo, incluso de un partido que no celebre una elección primaria, durante el año electoral en que se celebre dicha elección primaria.) Date Signed Signature Printed Name Residence Address (Including City, Texas, Zip) (Fecha de Firma) (Nombre en letra de molde) (Dirección de Residencia (Incluye Ciudad, Estado, Código Postal)) County Voter VUID Number⁴ (Cendado) Date of Birth4 (Núm de VUID de Votante) (Fecha de Nacimiento) AFFIDAVIT OF CIBCULATOR (DECLARACIÓN JURADA DE LA PERSONA QUE HACE CIRCULAR LA PETICIÓN) STATE OF TEXAS (ESTADO DE TEJAS) COUNTY OF (CONDADO DE)

BEFORE ME, the undersigned, on this (date) personally appeared (ANTE MI, cl/la suscrito(a), en statements and read them to the signer before the signer affixed their signature to the petition. I witnessed the affixing of each signature. The correct date of signing is shown on the petition. I verified each signer's registration status and believe that each signature is the genuine signature of the person whose name is signed and that the corresponding information for each signer is correct." (quien, habiendo prestado el juramento correspondiente, declaró y dijo: "Llamé la and betteve that each signature is the genome signature of the person whose haine is signed and that the corresponding material of the correct of the genome signature is the genome signature of the atención de cada infinante sobre la declaración cuada y se la lei ames de que la suscitivada. Acestigae cada firmante.") SWORN TO AND SUBSCRIBED REFORE ME THIS DATE (JURADO Y SUSCRITO ANTE MÍ, CON ESTA FECHA) X (SEAL) Signature of circulator (Firma de la persona que hizo circular la petición) Signature of officer administering oath (Firms del/de la fluncionario(a) que le tomó junumento) INSTRUCTIONS AND FOOTNOTES ON BACK (AL DORSO: INSTRUCCIONES Y ANOTACIONES) Title of officer administering MICHELLE JEANETTE BARRIENTES VEL Notary Public, State of Texas Comm. Expires 07-18-2023 Notary ID 124522846

PETITION IN LIEU OF A FILING FEE and/or PETITION FOR JUDICIAL OFFICE (for use in a primary election)

(PETICIÓN PRESENTADA EN SUSTITUCIÓN DEL PAGO DE DERECHOS DE INSCRIPCIÓN y/o

PETICIÓN PARA UN PUESTO OFICIAL JUDICIAL — para efectos de elecciones primarias)

Name of Circulator Anny nintes — Page 3 of 35

Signing the petition of more than one candidate for the same office in the same election is prohibited. (Se prohibe firmar la petición de más de un candidato para el mismo puesto oficial en la misma elección.)

COMPLETE ALL BLANKS. (LLENE TODOS LOS ESPACIOS EN BLANCO.)

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PETITION IN LIEU OF A FILING FEE and/or PETITION FOR JUDICIAL OFFICE (for use in a primary election)

(PETICIÓN PRESENTADA EN SUSTITUCIÓN DEL PAGO DE DERECHOS DE INSCRIPCIÓN y/o
PETICIÓN PARA UN PUESTO OFICIAL JUDICIAL – para efectos de elecciones primarias)

Name of Circulator Almost Willy Page 31 of 39

Signing the petition of more than one candidate for the same office in the same election is prohibited. (Se prohibe firmar la petición de más de un candidato para el mismo puesto oficial en la misma elección.) COMPLETE ALL BLANKS. (LLENE TODOS LOS ESPACIOS EN BLANCO.) This statement MUST be read to each person before signing the petition. (ES OBLIGATORIO leer la signiente declaración a todos los firmantes antes de que la suscriban.) "I know that the purpose of this petition is to entitle Albur white to have their name placed on the ballot for the office of Justice of the Peace Per U 3 primary election. I understand that by signing this petition I become ineligible to vote in a primary election or participate in a convention of another party, including a party not holding a primary ² for the election, during the voting year in which this primary election is held." (Reconozco que el objeto de la presente petición es facultar a para que su nombre aparezca en la boleta como candidato(a) al puesto de 2 en la elección primaria del Partido 3. Entiendo que al firmar la petición, dejo de tener derecho a votar en una elección primaria de otro partido o participar en la convención del mismo, incluso de un partido que no celebre una elección primaria, durante el año electoral en que se celebre dicha elección primaria,) Date Signed Signature Printed Name Residence Address (Including City, Texas, Zip) (Fecha de Firma) (Firma) County (Nombre en letra de molde) (Dirección de Residencia (Incluye Ciudad, Estado, Código Postal)) Voter VUID Number4 Date of Birth4 (Condado) (Núm de VUID de Votante) (Fecha de Nacimiento) AFFIDAVIT OF CIRCULATOR (DECLARACIÓN JURADA DE LA PERSONA QUE HACE CIRCULAR LA PETICIÓN)⁵
(CONDADO DE)

BEFORE ME, the undersigned, on this / B/2 (date) personally appeared (ANTE MI, el/la suscrito(a), en STATE OF TEXAS (ESTADO DE TEJAS) COUNTY OF (CONDADO DE) esta (fecha) compareció) (name of person wh Dent (name of person who circulated petition,) - (nombre de la persona que hizo circular la petición) who being duly sworn, deposes and says: "I called each signer's attention to the above statements and read them to the signer before the signer affixed their signature to the petition. I witnessed the affixing of each signature. The correct date of signing is shown on the petition. I verified each signer's registration status and believe that each signature is the genuine signature of the person whose name is signed and that the corresponding information for each signer is correct." (quien, habiendo prestado el juramento correspondiente, declaró y dijo: "Llamé la and othere that each signature is the genuine signature of the person whose ballet a declaration citada y se la fei antes de que la suscribiera. Atestigüé cada firma, y la fecha correcta de las firmas consta en la petición. Verifiqué la situación de cada firmante en lo concerniente a su inscripción y creo que cada atencion de cuna frinante sobre la cuestimación de la persona cuyo nombre aparece firmado y que son exactos los datos correspondientes a cada firmante.") SWORN TO AND SUBSCRIBED BEFORE ME THIS DATE (JURADO Y SUSCRITO ANTE MÍ, CON ESTA FECHA) (SEAL) Signature of circulator (Firms de la persona que hizo circular la pelición) Signature of officer administering oath (Firms del/de la funcionario(a) que le tomó junumento) Title of officer administering oath (Titulo oficial del/de in funcionario(a) que le tomá jummento) INSTRUCTIONS AND FOOTNOTES ON BACK (AL DORSO: INSTRUCCIONES Y ANOTACIONES)

PETITION IN LIEU OF A FILING FEE and/or PETITION FOR JUDICIAL OFFICE (for use in a primary election)

(PETICIÓN PRESENTADA EN SUSTITUCIÓN DEL PAGO DE DERECHOS DE INSCRIPCIÓN y/o PETICIÓN PARA UN PUESTO OFICIAL JUDICIAL – para efectos de elecciones primarias)

Name of Circulator Albert whity Page 38 of 39

Signing the petition of more than one candidate for the same office in the same election is prohibited. (So prohibe firmer la petición de más de un candidato para el mismo puesto oficial en la misma elección.) This statement MUST be read to each person before signing the petition. (ES OBLIGATORIO leer la siguiente declaración a todos los firmantes antes de que la suscriban.) "I know that the purpose of this petition is to entitle that while ³ primary election. I understand that by signing this petition I become ineligible to vote in a primary election or participate in a convention of another party, including a party not holding a primary to have their name placed on the ballot for the office of Justice of the frace election, during the voting year in which this primary election is held." (Reconozco que el objeto de la presente petición es facultar a incluso de un partido que no celebre una elección primaria, durante el año electoral en que se celebre dicha elección primaria,) 3. Entiendo que al firmar la petición, dejo de tener derecho a votar en una elección primaria de otro partido o participar en la convención del mismo, para que su nombre aparezca en la boleta como candidato(a) al puesto de Printed Name Residence Address (Including City, Texas, Zip) (Fecha de Firma) (Firma) (Nombre en letra de molde) (Dirección de Residencia (Incluye Ciudad, Estado, Código Postal)) County Voter VUID Number4 (Condado) Date of Birth4 (Núm de VUID de Votente) (Fecha de Nacimiento) Betor Bezan 10432 BeXAR Rexal STATE OF TEXAS (ESTADO DE TEIAS) COUNTY OF (CONDADO DE)

SY AY

BEFORE ME, the undersigned, on this ABA (date) personally appeared (ANTE MI, cl/la suscrito(a)) on the above the condated personal than the condat AFFIDAVIT OF CIRCULATOR (DECLARACIÓN JURADA DE LA PERSONA QUE HACE CIRCULAR LA PETICIÓN) statements and read them to the signer before the signer affixed their signature to the petition. I witnessed the affixing of each signature. The correct date of signing is shown on the petition. I verified each signer's registration status statements and read them to the signer periore the signer attived them signature to the person whose name is signed and that the corresponding information for each signer is correct." (quien, habiendo prestado el juramento correspondiente, declaró y dijo: "Llamé la and believe that each signature is the genuine signature of the person whose hance is signed and that the corresponding manufacture of the cada firmance source. Quica, naorendo presided or juramento correspondiente, deciaro y dijo: "Liame ia atención de cada firmante sobre la declaración citada y se la lei antes de que la suscribiera. Atestigüé cada firma, y la fecha correcta de las firmas consta en la petición. Verifiqué la situación de cada firmante en lo concerniente a su inscripción y creo que cada firms es la auténtica de la persona cuyo nombre aparece firmado y que son exactos los datos correspondientes a cada firmante.") SWORN TO AND SUBSCRIBED BEFORE ME THIS DATE (JURADO Y CUSORIPO ANTE M. CONFETA FEGURA) Signature of circulator (Firma de la persona que hizo circular la perición) MICHELLE JEANE (TE BARRIENTES WELD Signature of officer administering oath (Firms del/de la fuscionario(a) que le tomó juramento) Notary Public, State of Texas INSTRUCTIONS AND FOOTNOTES ON BACK (AL DORSO: INSTRUCCIONES Y ANOTACIONES) Title of officer administering o . Сотпрообхрігов 07.48.2023 Notary ID 124522846



PETITION IN LIEU OF A FILING FEE and/or PETITION FOR JUDICIAL OFFICE (for use in a primary election)

(PETICIÓN PRESENTADA EN SUSTITUCIÓN DEL PAGO DE DERECHOS DE INSCRIPCIÓN y/o PETICIÓN PARA UN PUESTO OFICIAL JUDICIAL – para efectos de elecciones primarias)

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Signing the petition of more than one candidate for the same office in the same election is prohibited. (Se prohibe firmar la petición de más de un candidato para el mismo puesto oficial en la misma elección.) COMPLETE ALL BLANKS. (LLENE TODOS LOS ESPACIOS EN BLANCO.) This statement MUST be read to each person before signing the petition. (ES OBLIGATORIO leer la signiente declaración a todos los firmantes antes de que la suscriban.) "I know that the purpose of this petition is to entitle Albert whimy to have their name placed on the ballot for the office of 3 x shice ³ primary election. I understand that by signing this petition I become ineligible to vote in a primary election or participate in a convention of another party, including a party not holding a primary Dema way election, during the voting year in which this primary election is held." (Reconozco que el objeto de la presente petición es facultar a para que su nombre aparezca en la boleta como candidato(a) al puesto de ² en la elección primaria del Partido 3. Entiendo que al firmar la petición, dejo de tener derecho a votar en una elección primaria de otro partido o participar en la convención del mismo, incluso de un partido que no celebre una elección primaria, durante el año electoral en que se celebre dicha elección primaria,) Date Signed Printed Name Residence Address (Including City, Texas, Zip) Signature County Voter VUID Number (Fecha de Firma) (Dirección de Residencia (Incluye Ciudad, Estado, Código Postal)) (Firma) (Nombre en letra de molde) Date of Birth4 (Condado) (Núm de VUID de Votante) (Fecha de Nacimiento) Bexar 6206 Invertory Drive enuerse T Boxar AFRIDAVITOF CRICULATOR (DECLARACIÓN JURADA DE LA PERSONA QUE HACE CIRCULAR LA PETICIÓN)

(ESTADO DE TEJÁS COUNTY OF (CONDADO DE)

BEFORE ME, the undersigned on this) BEFORE ME, the undersigned, on this 2/3/2 ((date) personally appeared (ANTE MI, el/la suscrito(a), en (name of person who circulated petition,) - (nombre de la persona que hizo circular la petición) who being duly sworn, deposes and says: "I called each signer's attention to the above statements and read them to the signer before the signer affixed their signature to the petition. I witnessed the affixing of each signature. The correct date of signing is shown on the petition. I verified each signer's registration status and believe that each signature is the genuine signature of the person whose name is signed and that the corresponding information for each signer is correct." (quien, habiendo prestado el juramento correspondiente, declaró y dijo: "Llamé la attención de cada firmante sobre la declaración citada y se la lei antes de que la suscribiera. Atestigüé cada firma, y la fecha correcta de las firmas consta en la petición. Verifiqué la situación de cada firmante firma es la auténtica de la persona cuyo nombre aparece firmado y que son exactos los datos correspondientes a cada firmante.") SWORN TO AND SUBSCRIBED REFORE ME THIS DATE (JUR Notary Public PState of Texas X Comm. Expires 07-18-2023 Signature of officer administering oath (Firms del/de la funcionario(a) que le tomó juramento) Signature of circulator (Firma de la persona que hizo circular la pelición) into the installed to funcial orbat Xue Promo 14522846 Title of officer administering oath INSTRUCTIONS AND FOOTNOTES ON BACK (AL DORSO: INSTRUCCIONES Y ANOTACIONES)

39

EXHIBIT 2

Rogelio "Roger" Lopez, Jr. P.O. Box 93 Adkins, TX 78101 Email: judgerogerlopez@gmail.com December 13, 2021

Hon. Monica Alcantara
Bexar County Democratic Party Chair
Bexar County Democratic Party Headquarters
1844 Fredericksburg Rd
San Antonio, Texas 78201
Via: Hand Delivery

Re: Challenge to candidate Albert Whitby's "Application for a Place on the General Primary Ballot"

Honorable Monica Alcantara:

Please allow this correspondence to serve as a formal challenge to candidate Albert Whitby's "Application for a Place on the General Primary Ballot" filed on December 13, 2021. The Application is defective pursuant to the Texas Election Code, and accordingly must be rejected.

The Application fails to meet the requirements prescribed in the Texas Election Code. Mr. Whitby's application was accompanied by 39 pages of petitions, all of which list the candidate office as "Justice of the Peace, Precinct 4." All the petitions failed to include the place number as "Place 1." This is a defect in each of these petition pages, which renders each of them invalid. You, as the

¹ The application listed 40 pages of petitions, but on reviewing the petitions, it was discovered that page number 23 was missing. This was verified with the officials at the Democratic Party Headquarters when copies of petitions were provided.

Democratic Party Chair and the designated filing authority *must reject the application*. The Election Code provides as much:

(e) If an application does not comply with the applicable requirements, the authority *shall reject* the application ...

Tex. Election Code Sec. 141.032 (emphasis added).

The Texas Supreme Court reviewed an identical case, and found that the *failure to list the place number* in each of the petition pages constituted a *defect* in each of those petition pages, which rendered *all of those pages invalid.*² Regarding the candidate's omission of "Place 8" on the petitions, the Texas Supreme Court went on to say:

"We agree that the omission of any statutorily required information on a petition renders signatures on that petition invalid.³ Section 172.027 of the Election Code says that a *candidate's place number 'must appear at the top of each page of a petition*.' Section 141.063(a)(4) says that a signature on a petition is *invalid* unless 'each statement that is required by this code . . . appears, at the time of signing, on the page on which the signature is entered.' As the Code requires a place number on each page, and declares invalid any signatures on pages without it, the trial court correctly concluded that all but 27 signatures from the district involved in this challenge are invalid."⁴

² *In re Francis*, 186 S.W.3d 534, 538 (Tex. 2006) (orig. proceeding) (omitting Place 8 constituted a "defect" and an "omission of the statutory requirements...").

³ Original footnote number 15 in the Courts opinion is as follows:

[&]quot;15. We have strictly enforced mandatory statutory requirements for political candidacy in the past. See, e.g., Wallace v. Howell, 707 S.W.2d 876, 877 (Tex.1986) (disqualifying candidate who filed application for two judicial positions and conditioned withdrawal from one on qualification for the other); Painter v. Shaner, 667 S.W.2d 123, 125 (Tex. 1984) (noting "statutory mandates" should be "strictly construed"); Brown v. Walker, 377 S.W.2d 630, 632 (Tex.1964) (disqualifying candidate who mailed application by regular mail because applications sent before, but received after, the deadline must be sent via certified or registered mail); Canady v. Democratic Executive Comm. of Travis County, 381 S.W.2d 321, 324 (Tex.1964) (disqualifying candidate who listed his legal address as one outside the relevant precinct); Burroughs v. Lyles, 142 Tex. 704, 181 S.W.2d 570, 573 (1944)."

⁴ In re Francis, 186 S.W.3d 534, 538 (Tex. 2006).

The law is clear that because all 39 of Mr. Whitby's petitions lack the "Place 1" designation, all 39 pages are invalid. Accordingly, his application must be rejected.

Mr. Whitby's omission was not due to his lack of knowledge. He was clearly aware that he was making an application for the Justice of the Peace Precinct 4, Place 1 position, as his "Application for a Place on the General Primary Ballot" (attached hereto as exhibit "A") clearly designates the office sought as "Bexar County Justice of the Peace Precinct 4, Place 1." The Bexar County Elections Department clearly recognizes that these are two distinct offices. See attached exhibit "B". Further, the ballot from the 2018 General Election also clearly identifies the office designation as the "Justice of the Peace, Precinct 4, Place 1." See Media Report, Bexar County Texas, Official Reports, attached hereto as Exhibit "C."

Under these facts Ms. Alcantara, you as the designated filing authority, have no choice but to reject the application, as your duty is both mandatory and ministerial. The Texas Supreme Court has emphasized that the sections of the Election Code dealing with candidacy for political office are *mandatory* and are to be strictly enforced. Wallace v. Howell, 707 S.W.2d 876, 877 (Tex. 1986) (orig. proceeding) (emphasis added). "The party chair's duty to determine whether an application for a place on the ballot complies with the statutory requirements is ministerial." In re Triantaphyllis, 68 S.W.3d 861, 869 (Tex. App.—Houston [14th Dist. 2002, orig. proceeding) (emphasis added). The Texas Supreme Court has further made it clear that "[i]f a candidate's application does not comply with the Code's requirements, the party chair has no discretion but to reject the application and remove the candidate's name from the candidate list. Tex. Elec.Code §§ 141.032(e), 172.029(d); *Escobar*, 917 S.W.2d at 406." *In re Gamble*, 71 S.W.3d 313 (Tex. 2002) (emphasis added). Thus, under both the Election Code and the Texas Supreme Court's interpretation of the Code, you as the Honorable Chair of the Bexar County Democratic Party must reject Mr. Whitby's application.

Finally, should you as the Democratic Party Chair wish to afford an opportunity for cure, you have no authority to accept an amended application after the filing deadline. The Texas Election Code, § 172.0222 provides that:

- (i) After the filing deadline:
 - (1) a candidate *may not amend an application* filed under Section 172.021; and

(2) the authority with whom the application is filed may not accept an amendment to an application filed under Section 172.021.

Tex. Election Code Sec. 172.0222 (emphasis added).

The statutes and the caselaw are clear that in this case, you, as the Bexar County Democratic Chair, have a mandatory and ministerial duty to reject Mr. Whitby's application. I trust that you will comply with the duty and responsibility you have chosen to accept and which you have sworn to uphold. Should you fail to do so, however, a petition has been drafted and will be filed in the proper court having jurisdiction over this matter. Please understand that should it be necessary to initiate litigation, it will be filed against you as the Bexar County Democratic Chair. I trust and hope that this will not be necessary.

Unless I hear from you by 9am on December 15, 2021, I will be forced to seek the Court's assistance to ensure that you comply with your statutory duties.

Should you have any questions, or if there is any way in which I may be of assistance, please do not hesitate to reach out.

Very truly yours,

Rogelio "Roger" Lopez, Jr.

Justice of the Peace, Precinct 4, Place 1

Exhibit "A"

Bexar Count	y, Democr	atic Party
Bexar Count # <u>_/ 80</u> Rec'd by_ SOS bv	Date	12-13-21
SOS by	Date	

APPLICATION FOR A PLACE ON THE GENERAL PRIMARY BALLOT

L INFORMATION IS REQUIRED TO BE PROVIDE	UNLE	SS INDICATE	AS OPTIONA	L ¹ Failure to					
APPLICATION FOR A PLACE ON THE DEMOCRATIC PARTY GENERAL PRIMARY BALLOT (Democratic or Republican)									
TO: State /County Chair		(1	Democratic o	or Republica	n)				
TO: State/County Chair I request that my name be placed on the	a abov	o-named off	icial nrimary	hallot as a	randidat	te for nom	ination to	the office indic	ated below.
OFFICE SOUGHT (Include any place number						INDICATI			
BEXAR COUNTY JUSTICE OF TH				PLACE 1	1	✓ FULL	•	UNEXP	
FULL NAME (First, Middle, Last)				PRINT NAI	IE AS YO	I TNAW UC	T TO APPE	AR ON THE BAL	LOT*
ALBERT CHARLES WHITBY				ALBERT					
PERMANENT RESIDENCE ADDRESS (Do not lif you do not have a residence address, describe				campaign re	lated cor	respondence	e, if available	Address for which y e.)	you receive
8503 EAGLE CREST BLVD				8503 EA	GLE CI	REST BL	VD 		
CITY	STAT	E ZIP		CITY				STATE	ZIP
WINDCREST	TX	78	3239	WINDC	REST			TX	78239
PUBLIC EMAIL ADDRESS (Optional) (Address for which you receive campaign related emails, if available.) albertwhitby@gmail.com	s	OCCUPATION		ve blank)	DATE O	OF BIRTH	/ 1980	VOTER REGIST NUMBER ² (Opt 1200994083	ional)
TELEPHONE CONTACT INFORMATION (OF	ntional								
	, c. c						Call: (7	13) 927-2716	;
Home: FELONY CONVICTION STATUS (You MUST	check	Office:	LENGTH	OF CONTINU	OUS RES	SIDENCE AS			ON WAS SWORN
✓ I have not been finally convicted of a fe				THE STATE					PRECINCT FROM
I have been finally convicted of a felon				41 year(s)			WHICH THE OFFICE SOUGHT IS ELECTED		
pardoned or otherwise released from t		-		4.1	year(s)			<u>12</u> _y	ear(s)
disabilities of that felony conviction and proof of this fact with the submission of				3	month(s	;)		n	nonth(s)
*If using a nickname as part of your name nickname does not constitute a slogan or co known by this nickname for at least three you the rules for how names may be listed on the	ntain a ears pr	title, nor doe ior to this elec	s it indicate a	political, ecor	nomic, so	cial, or relig	ious view c	or affiliation. I ha	ve been commonly
Before me, the undersigned authority, on th	is day p	personally app	eared (name	of candidate)	ALBE	RT CHAF	RLES WH	HTBYw	ho being by me
here and now duly sworn, upon oath says: "I, (name of candidate) ALBERT CHAR								County, Texas,	
i, (name of candidate)	unty .lu	stice of the Pe	ace Precinct 4	Place 1					
being a candidate for the office of Bexar County Justice of the Peace Precinct 4, Place 1 swear that I will support and defend the Constitution and laws of the United States and of the State of Texas. I am a citizen of the United States eligible to hold such office under the constitution and laws of this state. I have not been determined by a final judgment of a court exercising probate jurisdiction to be totally mentally incapacitated or partially mentally incapacitated without the right to vote. I am aware of the nepotism law, Chapter 573, Government Code. I am aware that I must disclose any prior felony conviction, and if so convicted, must provide proof that I have been pardoned or otherwise released from the resulting disabilities of any such final felony conviction. I am aware that knowingly providing false information on the application regarding my possible felony conviction status constitutes a Class B misdemeanor. I further swear that the foregoing statements included in my application are in all things true and correct."									
		-	9	SIGNATUR	E OF CA	NDIDATE			
Sworm to and subscribed before me this th	-		DECEMB		2021	, by		RT CHARLES	·
	(da	ay)	(month		(year)		•	ame of candidat —	e)
						TTE M. A			4 -
Signature of Officer Authorized to Admini	ster Oa	ath ⁴		Prii	nted Man	A 1:65 NO	tary Public	ed to Administe M ARDIENTE , State of Texas res 11-09-2025	Oath
Title of Officer Authorized to Administer C	Dath	TILLE APPLICA	ATIONICAC	CORADANIE					
TO BE COMPLETED BY CHAIR OR DESIGN CASH ☐ CHECK ☑ MONEY ORDER	D C	THIS APPLIC ASHIERS CHE	CK OR P	ETITION IN I	JEU OF	A EILING F	EE.	FEE PAID BY:	i, I
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		21	(See Section	n 1.007)	11/	WYU	us p	1 CM 1 1Ci	M
Date Received Date Accep	oted				Signatu	ire of Chaii	or Design	nee	

Exhibit "B"



BEXAR COUNTY ELECTIONS DEPARTMENT JACQUELYN F. CALLANEN, ELECTIONS ADMINISTRATOR 210-335-VOTE

CANDIDATE CAMPAIGN FINANCE REPORTS

CONTRIBUTIONS & EXPENDITURES SEARCH

ffice				
ustice				
rustice of the Peac	e, Precinci 1	Place 3		
Justice of the Peac	ce, Precinct 2	Place 1		
Justice of the Pead	ce, Precinct 2	Place 2		
Justice of the Pead	ce, Precinct 2	Place 3		
Justice of the Peac	ce, Precinct 3	Place 1		
Justice of the Peac	ce, Precinct 3	Place 2		
Justice of the Peac	ce, Precinct 4	Place 1	_	
Justice of the Pear	ce, Precinct 4	Place 2		
le Date (To):				
rder by:				

Exhibit "C"

MEDIA REPORT

BEXAR COUNTY, TEXAS GENERAL, SPECIAL, CHARTER,BOND NOVEMBER 6, 2018

OUNTY, TEXAS OFFICIAL RESULTS

RUN DATE:11	/16/18	02:49	PM
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				1	TOTAL VOTES	%	EARLY VOTE	ELECTION DAY
PRECINCTS COUNTED (OF 752).					752	100.00		
REGISTERED VOTERS - TOTAL .					1104,746			
BALLOTS CAST - TOTAL					551,896		420,191	131,705
VOTER TURNOUT - TOTAL	٠		•	٠		49.96		
Straight Party								
Vote For 1								
(WITH 751 OF 751 PRECINCT	5 (COUN	TED)				
Republican Party (REP)					134,360	40.86	103,958	30,402
Democratic Party (DEM)					191,776	58.31	141,351	50,425
Libertarian Party (LIB)					2,729	.83	1,636	1,093
Over Votes					24		24	0
Under Votes					223,007		173,222	49,785

Justice of the Peace, Precinct 1, Place 1 Vote For 1 (WITH 146 OF 146 PRECINCTS COUNTED) Robert "Bobby" Tejeda (DEM) Over Votes	77,704 0 28,412	100.00	55,386 0 20,793	22,318 0 7,619
Justice of the Peace, Precinct 1, Place 2 Vote For 1 (WITH 146 OF 146 PRECINCTS COUNTED) Ciro D. Rodriguez (DEM) Over Votes Under Votes	78,081 0 28,035	100.00	55,625 0 20,554	22,456 0 7,481
Justice of the Peace, Precinct 3, Place 1 Vote For 1 (WITH 208 OF 208 PRECINCTS COUNTED) Jeff Wentworth (REP). Eric J. Velasquez (LIB) Over Votes Under Votes	123,406 51,901 1 37,500	29.61	99,231 41,177 1 30,145	24,175 10,724 0 7,355
Vote For 1 (WITH 212 OF 212 PRECINCTS COUNTED) Rogelio "Roger" Lopez, Jr. (DEM)	72,161	79.67	53,285	18,876
David Brady (LIB)	18,413		13,590	4,823
Over Votes	1		1	0
Under Votes	24,951		19,411	5,540
Bexar County ESD No. 12 Proposition A Vote For 1 (WITH 8 OF 8 PRECINCTS COUNTED)				
For	1,600	54.96	1,209	391
Against	1,311	45.04	1,032	279
Over Votes	0		0	0
Under Votes	531		387	144

Rogelio "Roger" Lopez, Jr.
P.O. Box 93
Adkins, TX 78101
Email: judgerogerlopez@gmail.com
December 13, 2021

Hon. Monica Alcantara
Bexar County Democratic Party Chair
Bexar County Democratic Party Headquarters
1844 Fredericksburg Rd
San Antonio, Texas 78201
Via: Hand Delivery

Re: Challenge to candidate Michele Carey Garcia's "Application for a Place on the General Primary Ballot"

Honorable Monica Alcantara:

Please allow this correspondence to serve as a formal challenge to candidate Michele Carey Garcia's "Application for a Place on the General Primary Ballot" filed on December 10, 2021, attached hereto as exhibit "A." The Application is defective pursuant to the Texas Election Code, and accordingly must be rejected.

The Application fails to meet the requirements prescribed in the Texas Election Code. Specifically, § 141.031 provides that:

- (a) A candidate's application for a place on the ballot that is required by this code must:
 - (4) include:
 - (C) the office sought, *including any place number* or other distinguishing number; ...

Tex. Election Code Sec. 141.031 (emphasis added).

Ms. Garcia's application listed the office as "Justice of the Peace, Precinct 4" and failed to include the place number as "Place 1." See attached exhibit "A." You, as the Democratic Party Chair and the designated filing authority *must reject the application*. The Election Code provides as much:

(e) If an application does not comply with the applicable requirements, the authority shall reject the application ...

Tex. Election Code Sec. 141.032 (emphasis added). The Texas Supreme Court has reviewed an almost identical case, and has found that the *failure to list the place number* is a *defect* in the petition which rendered the application *invalid*. See In re Francis, 186 S.W.3d 534, 538 (Tex. 2006) (orig. proceeding) (omitting Place 8 constituted a "defect" and an "omission of the statutory requirements...").

This omission was not due to a lack of knowledge by Ms. Garcia. She was clearly aware that she was making an application for the Justice of the Peace Precinct 4, Place 1 position. See Ms. Garcia's "Appointment of a Campaign Treasurer by a Judicial Candidate" form attached hereto as exhibit "B" (designating office sought as "Justice of the Peace Pct. 4 *Place I*") (emphasis added). The Bexar County Elections Department clearly recognizes that these are two distinct offices. See attached exhibit "C". Further, the ballot from the 2018 General Election also clearly identifies the office designation as the "Justice of the Peace, Precinct 4, Place 1." See Media Report, Bexar County Texas, Official Reports, attached hereto as Exhibit "D."

To the extent that some of Ms. Garcia's petitions reference Place 1 and some do not (attached hereto as exhibit "E"), those petitions do not serve to correct the defective application. The Election Code is also very clear on this point. Section 141.032 provides that:

- (c) If an application is accompanied by a petition, the petition is considered part of the application ... However, the petition is not considered part of the application for purposes of determining compliance with the requirements applicable to each document, and a deficiency in the requirements for one document may not be remedied by the contents of the other document...
- (e) If an application does not comply with the applicable requirements, the authority *shall* reject the application and immediately deliver to the candidate written notice of the reason for the rejection.

Tex. Election Code Sec. 141. (emphasis added).

Under these facts Ms. Alcantara, you as the designated filing authority, have no choice but to reject the application, as your duty is both mandatory and ministerial. The Texas Supreme Court has emphasized that the sections of the Election Code dealing with candidacy for political office are mandatory and are to be strictly enforced. Wallace v. Howell, 707 S.W.2d 876, 877 (Tex. 1986) (orig. proceeding) (emphasis added). "The party chair's duty to determine whether an application for a place on the ballot complies with the statutory requirements is ministerial." In re Triantaphyllis, 68 S.W.3d 861, 869 (Tex. App.—Houston [14th Dist.] 2002, orig. proceeding) (emphasis added). The Texas Supreme Court has further made it clear that "[i]f a candidate's application does not comply with the Code's requirements, the party chair has no discretion but to reject the application and remove the candidate's name from the candidate list. Tex. Elec.Code §§ 141.032(e), 172.029(d); *Escobar*, 917 S.W.2d at 406." *In re Gamble*, 71 S.W.3d 313 (Tex. 2002) (emphasis added). Thus, under both the Election Code and the Texas Supreme Court's interpretation of the Code, you as the Honorable Chair of the Bexar County Democratic Party must reject Ms. Garcia's application.

Finally, should you as the Democratic Party Chair wish to afford an opportunity for cure, you have no authority to accept an amended application after the filing deadline. The Texas Election Code, § 172.0222 provides that:

- (i) After the filing deadline:
 - (1) a candidate may not amend an application filed under Section 172.021; and
 - (2) the authority with whom the application is filed may not accept an amendment to an application filed under Section 172.021.

Tex. Election Code Sec. 172.0222 (emphasis added).

The statutes and the caselaw are clear that in this case, you, as the Bexar County Democratic Chair, have a mandatory and ministerial duty to reject Ms. Garcia's application. I trust that you will comply with the duty and responsibility you have chosen to accept and which you have sworn to uphold. Should you fail to do so, however, a petition has been drafted and will be filed in the proper court having jurisdiction over this matter. Please understand that should it be necessary to initiate litigation, it will be filed against you as the Bexar County Democratic Chair. I trust and hope that this will not be necessary.

Unless I hear from you by 9am on December 15, 2021, I will be forced to seek the Court's assistance to ensure that you comply with your statutory duties.

Should you have any questions, or if there is any way in which I may be of assistance, please do not hesitate to reach out.

Very truly yours,

Rogelio "Roger" Lopez, Jr.

Justice of the Peace, Precinct 4, Place 1

RL atts.

Exhibit "A"

Bexar County Democratic Party Shed to by 1774 Date 10

✓ Voter Registration Status Verified

Signature of Chair or Designee

APPLICATION FOR A PLACE ON THE GENERAL PRIMARY BALLOT ALL INFORMATION IS REQUIRED TO BE PROVIDED UNLESS INDICATED AS OPTIONAL Failure to provide required information may result in rejection of application. APPLICATION FOR A PLACE ON THE Democratic PARTY GENERAL PRIMARY BALLOT (Democratic or Republican) TO: State/County Chair I request that my name be placed on the above-named official primary ballot as a candidate for nomination to the office indicated below. INDICATE TERM OFFICE SOUGHT (Include any place number or other distinguishing number, if any.) **√** FULL Justice of the Peace, Precinct 4 UNEXPIRED PRINT NAME AS YOU WANT IT TO APPEAR ON THE BALLOT FULL NAME (First, Middle, Last) Michele Garcia Michele Carey Garcia PERMANENT RESIDENCE ADDRESS (Do not include a P.O. Box or Rural Route. PUBLIC MAILING ADDRESS (Optional) (Address for which you receive If you do not have a residence address, describe location of residence.) campaign related correspondence, if available.) Same 405 E Lindbergh CITY STATE ZIP CITY STATE ZIP Universal City T_X 78148 PUBLIC EMAIL ADDRESS (Optional) (Address VOTER REGISTRATION VUID OCCUPATION (Do not leave blank) DATE OF BIRTH for which you receive campaign related emails, if NUMBER² (Optional) available.) michelegarcia64@gmail.com 1190699313 Court Clerk 05/ 17 / 1984 TELEPHONE CONTACT INFORMATION (Optional) Cell: (210) 843-0177 Home: Office: LENGTH OF CONTINUOUS RESIDENCE AS OF DATE THIS APPLICATION WAS SWORN FELONY CONVICTION STATUS (You MUST check one) I have not been finally convicted of a felony. IN THE STATE OF TEXAS IN TERRITORY/DISTRICT/PRECINCT FROM I have been finally convicted of a felony, but I have been WHICH THE OFFICE SOUGHT IS ELECTED 37 _{year(s)} 37__year(s) pardoned or otherwise released from the resulting disabilities of that felony conviction and I have provided proof of this fact with the submission of this application.3 month(s) month(s) *If using a nickname as part of your name to appear on the ballot, you are also signing and swearing to the following statements: I further swear that my nickname does not constitute a slogan or contain a title, nor does it indicate a political, economic, social, or religious view or affiliation. I have been commonly known by this nickname for at least three years prior to this election. Please review sections 52.031, 52.032 and 52.033 of the Texas Election Code regarding the rules for how names may be listed on the official ballot. Before me, the undersigned authority, on this day personally appeared (name of candidate) Michele Carey Garcia , who being by me here and now duly swom, upon oath says: "i, (name of candidate) Michele Carey Garcia County, Texas, being a candidate for the office of Justice of the Peace, Precinct 4 , swear that I will support and defend the Constitution and laws of the United States and of the State of Texas. I am a citizen of the United States eligible to hold such office under the constitution and laws of this state. I have not been determined by a final judgment of a court exercising probate jurisdiction to be totally mentally incapacitated or partially mentally incapacitated without the right to vote. I am aware of the nepotism law, Chapter 573, Government Code. I am aware that I must disclose any prior felony conviction, and if so convicted, must provide proof that I have been pardoned or otherwise released from the resulting digebilities, of any such final felony conviction. I am aware that knowingly providing false information on the application regarding my possible felory conviction status constitutes a Classa misdemeanor. I further swear that the foregoing statements included in my application are in all things true and corre SIGNATURE OF CANDIDATE December 2021 Michele Carey Garcia Sworn to and subscribed before me this the 10 day of (day) (year) (name of candidate) James Kane Signature of Officer Authorized to Administer Oath Authones to Agministe Dath Anothry Public. State of Texas Comm. Expires 06-27-2023 Title of Officer Authorized to Administer Oath Notary ID 132068395 TO BE COMPLETED BY CHAIR OR DESIGNEE: THIS APPLICATION IS ACCOMPANIED EN THE SECONDESIGNED OF THE SECONDESIC OF THE SECO \square cash olimits check olimits money order olimits cashiers check or olimits petition in Lieu of a filing fee.

(See Section 1.007)

This document and \$ 1000.00 filing fee or a nominating petition of 57 pages received.

Date Accepted

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Date Received

Exhibit "B"

APPOINTME	NT OF A CAMPAIGN	FORM JCTA
TREASURE	R BY A JUDICIAL CANDIDATE	PG 1
Ser I	CTA Instruction Guide for detailed instructions.	1 1 a Kadi paterpres fabre T
2 JUNGAL CANDIBATE NAME	Ms. Michele Garcia	OFFICE USE ONLY
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Exhibit "C"



BEXAR COUNTY ELECTIONS DEPARTMENT JACQUELYN F. CALLANEN, ELECTIONS ADMINISTRATOR 210-335-VOTE

CANDIDATE CAMPAIGN FINANCE REPORTS

CONTRIBUTIONS & EXPENDITURES SEARCH

Category	
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Office	
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Justice of the Peace, Precinct 2 Place 1	
Justice of the Peace, Precinct 2 Place 2	
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Justice of the Peace, Precinct 4 Place 1	
Justice of the Peace, Precinct 4 Place 2	-
File Date (To):	
Order by: Office Candidate File Date	
Search Clear	

Exhibit "D"

MEDIA REPORT BEXAR COUNTY, TEXAS OFFICIAL RESULTS GENERAL, SPECIAL, CHARTER, BOND NOVEMBER 6, 2018

RUN DATE:11/16/18 02:49 PM

	TOTAL VOTES	20	EARLY VOTE	ELECTION DAY
PRECINCTS COUNTED (OF 752) REGISTERED VOTERS - TOTAL BALLOTS CAST - TOTAL	. 1104,746 . 551,896	100.00 49.96	420,191	131,705
Straight Party Vote For 1 (WITH 751 OF 751 PRECINCTS COUNTED	D)			
Republican Party (REP)	. 134,360	40.86	103,958	30,402
Democratic Party (DEM)	-	58.31	141,351	50,425
Libertarian Party (LIB)		.83	1,636	1,093
Over Votes			24	ė
Under Votes	. 223,007		173,222	49,785

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Justice of the Peace, Precinct 1, Place 2 Vote For 1 (WITH 146 OF 146 PRECINCTS COUNTED) Ciro D. Rodriguez (DEM) 78,081 100.00 55,625 22,456 Over Votes	Justice of the Peace, Precinct 1, Place 1 Vote For 1 (WITH 146 OF 146 PRECINCTS COUNTED) Robert "Bobby" Tejeda (DEM) Over Votes	77,784 0 28,412		55,386 0 20,793	22,318 0 7,619
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Jeff Wentworth (REP).	Vote For 1				
Eric J. Velasquèz (LIB)		123 496	79 39	99 231	24.175
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Rogelio "Roger" Lopez, Jr. (DEM). 72,161 79.67 53,285 18,876 David Brady (LIB). 18,413 20.33 13,590 4,823 Over Votes. 1 1 1 0 Under Votes. 24,951 19,411 5,540 Bexar County ESD No. 12 Proposition A Vote For 1 7,600 1,600 1,209 391 Guith 8 OF 8 PRECINCTS COUNTED) 1,600 54.96 1,209 391 Against. 1,311 45.04 1,032 279 Over Votes. 0 0 0	Vote For 1				
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Against		1,600	54.96	1,209	391
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Exhibit "E"

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PETITION IN LIEU OF A FILING FEE and/or PETITION FOR JUDICIAL OFFICE (for use in a primary election)
PETICION PRESENTADA EN SUSTITUCION DEL PAGO DE OFFICION SE INNOCUPEION you
PETICION PARA UN PUENTO OFFICIAL JUDICIAL — nota céctos de electrones primarian)

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EXHIBIT 3

Bexar County Democratic Party

✓ Voter Registration Status Verified

Signature of Chair or Designee

09/2021									SOS by Arres	
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L INFORMATION IS REQUIRED TO BE PROVIDE APPLICATION FOR A PLA					tt-ranure to				L PRIMARY	
APPLICATION FOR A PLA	CE U	NA INE			or Republic		FARTI	CEIVEIC	TE L HILLIANS	DALLO
TO: State/County Chair			,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,			,				
I request that my name be placed on t	he ab	ove-name	d officia	al primary	ballot as a	candidat	e for nor	nination to	the office indi	cated below.
OFFICE SOUGHT (Include any place num								E TERM		
Justice of the Peace, Precinct 4		ÿ.					FUL	l	L UNEXP	IRED
FULL NAME (First, Middle, Last)					ì		TVAW UC	IT TO APPI	EAR ON THE BAL	TOT*
Michele Carey Garcia					Michele	Garcia				
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If you do not have a residence address, descri	be loca	ation of resi	dence.)		Same	eleted com	esponaen	e, if availabl	e.j	
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for which you receive campaign related emails, if available.) michelegarcia64@gmail.c	റന	Court	Clerk			05	/ 17	/ 1984	NUMBER ² (Opt 1190699313	
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*If using a nickname as part of your name										
nickname does not constitute a slogan or conson by this nickname for at least three to										
the rules for how names may be listed on t										
Before me, the undersigned authority, on t	his day	personally	sbbesc	ed (name o	of candidate)	Michel	e Carey	Garcia	w	ho being by me
here and now duly sworn, upon oath says: "I, (name of candidate) Michele Carey	Garc	ia		-4	Bexar				. 	
being a candidate for the office of Justic			e Pren						_ County, Texas,	
United States and of the State of Texas. I a					ble to hold s	ear that I uch office	will suppo under the	rt and dete constitution	no the Constituti In and laws of thi	on and laws of the
been determined by a final judgment of a	ourt e	xercising p	robate ju	urisdiction :	to be totally	mentally	incepedita	ted or parti	ally mentally inc	pacitated without
the right to vote. I am aware of the nepo convicted, must provide proof that I have I	een p	ardoned or	r otherwi	rise release	d from the r	esulting d	įsabilities,	of any such	final felony conv	riction. I am aware
that knowingly providing false information that the foregoing statements included in n	on the	application	regardii	ng my poss	ible felony co	nviction	status con	stitutes a Ci	ess o misdemean	or. I further swear
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TO BE COMPLETED BY CHAIR OR DESIG	NEE:	THIS APP	LICATIO	ON IS ACC	OMPANIED		POLICE			3
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This document and \$ 1000.00 filling fee or a nominating petition of 57 pages received.

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Date Received

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MEDIA REPORT SEXAR COUNTY, TEXAS OFFICIAL RESULTS

BEXAR COUNTY, TEXAS GENERAL, SPECIAL, CHARTER, BOND NOVEMBER 6, 2018

	02:49 PM

		TOTAL VOTES	*	EARLY VOTE	ELECTION DAY
PRECINCTS COUNTED (OF 752)			100.00		
REGISTERED VOTERS - TOTAL				430 303	222 205
BALLOTS CAST - TOTAL			49.96	420,191	131,705
Straight Party					
Vote For 1 (WITH 751 OF 751 PRECINCTS COUNTE	:n\				
Republican Party (REP)		134,360	40.86	103.958	30,402
Democratic Party (DEM)			58.31	141,351	50,425
Libertarian Party (LIB)		2,729	.83	1,636	1,093
Over Votes		. 24		24	9
Under Votes		223,007		173,222	49,785

9 6 0

Justice of the Peace, Precinct 1, Place 2	Justice of the Peace, Precinct 1, Place 1 Vote For 1 (WITH 146 OF 146 PRECINCTS COUNTED) Robert "Bobby" Tejeda (DEM)	77,784 0 28,412	109.00	55,386 0 20,793	22,318 0 7,619
Ciro D. Rodriguez (DEM). 78,081 100.00 55,625 22,456 Over Votes	Vote For 1				
Justice of the Peace, Precinct 3, Place 1 Vote For 1 (WITH 208 OF 208 PRECINCTS COUNTED) Jeff Mentworth (REP)	Ciro D. Rodriguez (DEM)	-	100.00	55,625 0	
Vote For 1 (WITH 208 OF 208 PRECINCTS COUNTED) Jeff Mentworth (REP)	Under Votes	28,035		20,554	7,481
Deff Nentworth (REP).	Vote For 1				
Eric J. Velasquez (LIB)		123,486	70.39	99.231	24,175
Over Votes					•
Under Votes		•		•	
Vote For 1 (WITH 212 OF 212 PRECINCTS COUNTED) Rogelio "Roger" Lopez, Jr. (DEM). 72,161 79.67 53,285 18,876 David Brady (LIB). 18,413 20.33 13,590 4,823 Over Votes. 1 1 1 0 Under Votes. 24,951 19,411 5,540 Bexar County ESO No. 12 Proposition A Vote For 1 (WITH 8 OF 8 PRECINCTS COUNTED) For . 1,600 54.96 1,209 391 Against . 1,311 45.04 1,032 279 Over Votes . 0 0 0		_		_	_
Rogelio "Roger" Lopez, Jr. (DEM). 72,161 79.67 53,285 18,876 David Brady (LIB). 18,413 20.33 13,590 4,823 Over Votes. 1 1 1 0 Under Votes. 24,951 19,411 5,540 Bexar County ESD No. 12 Proposition A Vote For 1 (WITH 8 OF 8 PRECINCTS COUNTED) For	Vote For 1				
David Brady (LIB)		72,161	79.67	53,285	18,876
Over Votes		18,413	20.33	13,590	4,823
Bexar County ESO No. 12 Proposition A Vote For 1 (WITH 8 OF 8 PRECINCTS COUNTED) For				1	. 0
Vote For 1 (WITH 8 OF 8 PRECINCTS COUNTED) For	Under Votes	24,951		19,411	5,540
For	Vote For 1				
Against		1.600	54.96	1,209	391
Over Votes		•			
***************************************		-		•	
	Under Votes	531		387	144

EXHIBIT 5

VERIFICATION

STATE OF TEXAS

§

COUNTY OF BEXAR

8

BEFORE ME, the undersigned authority, on this day personally appeared Rogelio

Lopez, Jr. known to me to be the person whose name is subscribed to the foregoing

instrument, who, after being duly sworn, states that the facts asserted and statements

contained in the request for mandamus and request for emergency relief are true and

correct, that the documents attached as exhibits to the request for mandamus relief are

true and correct copies of said documents, and that he has signed this Verification in the

capacity herein stated and it is within his personal knowledge.

By:

ROGELJO LOPEZ, J

SWORN AND SUBSCRIBED before me on this 14 day of ecember, 2021, to certify which witness my hand and seal of office.

DEBRA ANN HERRERA Notary Public, State of Texas Comm. Expires 08-08-2023 Notary ID 128698220

NOTARY PUBLIC, STATE OF TEXAS

My commission expires 8/8/23

Automated Certificate of eService

This automated certificate of service was created by the efiling system. The filer served this document via email generated by the efiling system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

Catherine Poncio on behalf of Adam Poncio Bar No. 16109800 cponcio@ponciolaw.com Envelope ID: 60101674

Status as of 12/16/2021 2:49 PM CST

Case Contacts

Name	BarNumber	Email	TimestampSubmitted	Status
Albert Whitby		albertwhitby@gmail.com	12/16/2021 2:43:48 PM	SENT
Albert Whitby		albertwhitby@gmail.com	12/16/2021 2:43:48 PM	SENT
Adam Poncio		salaw@msn.com	12/16/2021 2:43:48 PM	SENT
Alan Braun		abraun@ponciolaw.com	12/16/2021 2:43:48 PM	SENT
Teresa Cantera		tcantera@ponciolaw.com	12/16/2021 2:43:48 PM	SENT
Angela Zepeda		angelazepeda@ponciolaw.com	12/16/2021 2:43:48 PM	SENT
Adam Poncio		aponcio@ponciolaw.com	12/16/2021 2:43:48 PM	SENT
Michele CareyGarcia		michelegarcia64@gmail.com	12/16/2021 2:43:48 PM	SENT

EXHIBIT "B"

NO. 04-21-00558-CV

FILED IN
4th COURT OF APPEALS
SAN ANTONIO, TEXAS
12/16/21 1:07:10 PM
MICHAEL A. CRUZ
Clerk

IN THE COURT OF APPEALS

* * *

FOURTH SUPREME JUDICIAL DISTRICT

SAN ANTONIO, TEXAS

* * *

IN RE ROGELIO LOPEZ, JR.,
BEXAR COUNTY JUSTICE OF THE PEACE, PRECINCT 4, PLACE 1
Relator

* * * *

EMERGENCY MOTION FOR TEMPORARY RELIEF AND/OR FOR STAY PENDING RULING ON EMERGENCY PETITION FOR WRIT OF MANDAMUS AND/Or PETITION FOR WRIT OF MANDAMUS

* * * *

Adam Poncio
State Bar No. 16109800
PONCIO LAW OFFICES
A Professional Corporation
5410 Fredericksburg Road #109
San Antonio, Texas 78229-3550
Telephone: (210) 212-7979
Facsimile: (210) 212-5880
salaw@ponciolaw.com

ATTORNEYS FOR RELATOR

December 16, 2021

NO. ____04-21-00558-CV

* * *

IN THE COURT OF APPEALS FOURTH SUPREME JUDICIAL DISTRICT SAN ANTONIO, TEXAS

* * *

IN RE ROGELIO LOPEZ, JR., BEXAR COUNTY JUSTICE OF THE PEACE, PRECINCT 4, PLACE 1 Relator

* * * *

EMERGENCY MOTION FOR TEMPORARY RELIEF AND/OR FOR STAY PENDING RULING ON EMERGENCY PETITION FOR WRIT OF MANDAMUS AND/Or PETITION FOR WRIT OF MANDAMUS

* * * *

TO THE HONORABLE COURT OF APPEALS:

Relator ROGELIO LOPEZ, JR.,BEXAR COUNTY JUSTICE OF THE PEACE, PRECINCT 4, PLACE 1 ("Relator"), has petitioned this court for leave to file a writ of mandamus against Respondent/Real Party in Interest, Monica Alcantara, Bexar County Democratic Party Chairwoman ("Alcantara"). Relator now requests temporary relief and/or an emergency stay of the actions and proceedings in this matter pending a determination by the Court of this petition.

1. Relator is Rogelio Lopez, Jr., Bexar County Justice of the Peace, Precinct 4, Place 1. Relator is represented by Adam Poncio, PONCIO LAW

OFFICES, P.C., 5410 Fredericksburg Road #109, San Antonio, Texas 78229-3550.

- 2. Respondent and Real Party in Interest is Monica Alcantara, Bexar County Democratic Party Chair, Bexar County Democratic Party Headquarters, 1844 Fredericksburg Rd, San Antonio, Texas 78201. The two candidates for office at issue are Albert Whitby and candidate Michele Carey Garcia. Counsel will supplement with addresses and contact information.
- 3. This court has mandamus jurisdiction over this proceeding under TEX. ELEC. CODE § 273.061, which authorizes this court to issue a writ of mandamus "to compel the performance of any duty imposed by law in connection with the holding of an election... regardless of whether the person responsible for performing the duty is a public officer."
- 4. This court has mandamus jurisdiction over this proceeding under TEX. ELEC. CODE § 273.061, which authorizes this court to issue a writ of mandamus "to compel the performance of any duty imposed by law in connection with the holding of an election... regardless of whether the person responsible for performing the duty is a public officer. " Moreover and/or alternatively, mandamus issues to correct a clear abuse of discretion, or the violation of a duty imposed by law, where there is no adequate remedy by appeal. *In re Daisy Mfg. Co.*, 17 S.W.3d 654, 658 (Tex. 2000) (orig. proceeding) (per curiam). Moreover, the court of appeals has "such other jurisdiction, original and appellate, as may be prescribed by law." Tex. Const. art. V, § 6. Moreover, the court may issue an order staying proceedings pursuant to Rule 52.10(b) Tex. R. App. P.

- 5. Despite being informed of defects in the applications for office, Chairwoman Alcantara has disregarded her obligation to reject the applications for office filed by candidates for Justice of the Peace Albert Whitby and candidate Michele Carey Garcia. The respective "Application for a Place on the General Primary Ballot" filed by each candidate is defective pursuant to the Texas Election Code, and accordingly must be rejected. Each respective application fails to meet the requirements prescribed in the Texas Election Code.
- 6. Mr. Whitby's application was accompanied by 39 pages of petitions, all of which list the candidate office as "Justice of the Peace, Precinct 4." All the petitions failed to include the place number as "Place 1." This is a defect in each of these petition pages, which renders each of them invalid.
- 7. Ms. Garcia's application listed the office as "Justice of the Peace, Precinct 4" and failed to include the place number as "Place 1." This is also a defect which also renders the application invalid.
- 8. The Texas Election Code provides "If an application does not comply with the applicable requirements, the authority **shall** reject the application. " TEX. ELEC. CODE § 141.032 (emphasis added). While Chairwoman Alcantara has been informed of the defect in the applications, she has failed and refused to reject the applications as required by law.
- 9. The record in this original proceeding consists of an Appendix containing verified copies of the pertinent documents.
 - 10. By this motion, Relator is requesting an emergency stay in the

underlying matter. It is requested that the certification to the secretary of state for the ballot in the race at issue by Real Party in Interest and/or any of her representatives, any drawing for placement on the ballots for respective candidates scheduled for and held on December 15, 2021, be stayed and/or nullified and/or that the applications be deemed or ordered rejected and that a new drawing be held for placement on the ballot. Furthermore and/or alternatively, it is requested that placing the respective candidates on the ballot be stayed until this matter can be resolved. The requested emergency stay is necessary to maintain the status quo of the parties and to preserve the Court's jurisdiction to consider the merits of the underlying orders and/or the mandamus request filed. *In re Reed*, 901 S.W.2d 604, 609 (Tex. App. -- San Antonio 1995, orig proceeding). As set out above, an emergency order is necessary in order to prevent the improper conduct of the Real Party In Interest, to order that she comply with her duties to reject the applications and to maintain this Court's jurisdiction while a determination is made regarding any abuse of discretion or failure of Alcantara to perform her statutory obligations and/or for this court to determine the merits.

5. Relators are requesting an emergency stay of the proceedings in this matter. The actions of Alcantara and/or her representatives should be stayed with regard to the race at issue because Alcantara is obligated to certify the ballot for the race by close of business on December 17, 2021. She has indicated that she intends to certify the ballot today, December 16, 2021 by 4:00 pm. Her actions should be stayed pending a determination on this mandamus by the Court of Appeals and, if

necessary, by the Texas Supreme Court. The requested emergency stay is necessary to maintain the status quo of the parties and to preserve the Court's jurisdiction to consider the merits of the underlying orders and/or the mandamus request filed. *In re Reed*, 901 S.W.2d 604, 609 (Tex. App. – San Antonio 1995, orig proceeding).

RELIEF REQUESTED AND REQUEST FOR EMERGENCY STAY

- 6. Relator requests leave to file his Emergency Petition For Writ of Mandamus.
- 7. Relator further and alternatively requests that the court enter temporary orders staying any placement of the two candidates addressed herein, candidate Whitby and/or candidate Garcia, from being placed on the ballot for the election for Bexar County Justice of the Peace, Precinct 4, Place 1, until this matter is determined.
- 8. Because the certification of the ballot must be filed with the Secretary of State by close of business on December 17, 2021. However, Alcantara has indicated she will certify the ballot by 4:00pm today on December 16, 2021. It is requested that the court stay any certification of the ballot by Alcantara or any representative of her office for Bexar County Justice of the Peace, Precinct 4, Place 1, staying the placement on the ballot or drawing for a place on the ballot for the candidates and/or temporarily abating or preventing their certification or placement on the ballot or drawing for their place on the ballot, until such time as this court can review and decide this mandamus action.
- 9. Relator further and alternatively requests that this Court issue a writ of mandamus to the Chairwoman Alcantara ordering Alcantara to reject the applications

for candidate Whitby and/or candidate Garcia in order to allow for proper review by the court and/or, alternatively, to order that she reject the applications and/or petitions, in whole or in part, as this court may deem appropriate, and for all other relief, temporary or otherwise, this court deems appropriate.

WHEREFORE, relator requests that the Court stay the actions as set out above until such time as this court can review and decide this mandamus action, and for all other relief this court deems appropriate.

Respectfully submitted,

PONCIO LAW OFFICES A Professional Corporation 5410 Fredericksburg Road #109 San Antonio, Texas 78229-3550 Telephone: (210) 212-7979 Facsimile: (210) 212-5880

/s/ Adam Poncio

BY:

Adam Poncio State Bar No. 16109800 aponcio@ponciolaw.com

ATTORNEYS FOR RELATOR

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document has been served upon all parties and that I have notified them by attempting to contact them by phone or by email that I intend to file the request for temporary relief and have served them by service as follows:

Ms. Monica Alcantara - by Hand Delivery Chairwoman, Bexar County Democratic Party 1844 Fredericksburg Road San Antonio, Texas 78201

Albert Whitby - albertwhitby@gmail.com c/o Bexar County Democratic Party 1844 Fredericksburg Road San Antonio, Texas 78201

Michele Carey Garcia - michelegarcia64@gmail.com c/o Bexar County Democratic Party 1844 Fredericksburg Road San Antonio, Texas 78201

on this 16th day of December, 2021

/s/ Adam Poncio Adam Poncio

CERTIFICATE OF COMPLIANCE

Pursuant to Texas Rule of Appellate Procedure 9.4(i)(3), I hereby certify that this motion contains 1,652 words, excluding the words not included in the word count under the rules, or 7 pages, excluding the pages not included in the page count under the rules, pursuant to Texas Rule of Appellate Procedure 9.4(i)(1). This is a computer generated document created in Word Perfect X8, using 14-point typeface for all text, except for footnotes which are in 12-point typeface. In making this certificate of compliance, I am relying on the word count provided by the software used to prepare the document.

/s/ Adam Poncio ADAM PONCIO

Automated Certificate of eService

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Angela Zepeda on behalf of Adam Poncio Bar No. 16109800 angelazepeda@ponciolaw.com Envelope ID: 60095039

Status as of 12/16/2021 2:25 PM CST

Case Contacts

Name	BarNumber	Email	TimestampSubmitted	Status
Adam Poncio		salaw@msn.com	12/16/2021 1:07:10 PM	SENT
Cathy Poncio		cponcio@ponciolaw.com	12/16/2021 1:07:10 PM	SENT
Angela Zepeda		angelazepeda@ponciolaw.com	12/16/2021 1:07:10 PM	SENT
Albert Whitby		albertwhitby@gmail.com	12/16/2021 1:07:10 PM	SENT
Michele CareyGarcia		michelegarcia64@gmail.com	12/16/2021 1:07:10 PM	SENT

EXHIBIT "C"

ACCEPTED 04-21-00558-CV FOURTH COURT OF APPEALS SAN ANTONIO, TEXAS 12/17/2021 1:32 PM

I Michele Garcia respondent,

Please find my response to the petition for a writ of mandamus and emergency motion #duftenny orary
4th COURT OF APPEALS
SAN ANTONIO, TEXAS
12/17/2021 1:32:49 PM

MICHAEL A. CRUZ

1. Exhibit A is the Bexar County Budget for the 2017-2018 year. The Justice of the Pescer's an

- elected official. Justice of the Peace Precinct 4 has two Justices, Places 1 and 2. The Place 1

 Justice of the Peace is a full-time Judge, and the Place 2 Justice of the Peace is a part-time Judge.

 Both Judges are elected to four-year terms. On October 17, 2017, Commissioners Court

 approved an order to abolish the Office of Justice of the Peace in Bexar County Justice Precinct 3

 and 4, designated as Place 2. Please refer to Pages 388-389
- 2. Exhibit B is an order signed by all 4 commissioner's formally abolishing Place 2 in the Justice courts 3 and 4. October 17, 2017, the court herby ordered and approved a motion approving an order abolishing the office of the Justice of the Peace in Bexar County Justice Precinct 4 designated as place 2. To be effective at the end of the day dec 31, 2018 so that the incumbent Justice of the Peace in the Place 2 position can serve out the remainder of the term.
- 3. Please review the Exhibits and please consider my response. I was only going off the budge of 2017 and under the impression as stated in the budget that there is only one position in the Justice of the Peace Pct 4. So there is no confusion on the position I am applying for.

Respectfully Submitted,

Michele Garcia 405 E. Lindbergh Universal city Tx 78148 By: /s/ Michele Garcia

Certification of compliance

I certify that everything is true and correct to the best of my ability I am relying on Microsoft word. provided by the software used to prepare this document.

CERTIFICATE OF SERVICE

I Herby certify that the true and correct copy of the foregoing document has been served upon all parties by the court's filing system, hand delivered and or/or email as follows:

Ms. Monica Alcantara – martin.galando@gmail.com- delivered via email

Chairwoman, Bexar County Democratic Party

1844 Fredericksburg Road

San Antonio, Texas 78201

Albert Whitby - albertwhitby@gmail.com- delivered via email

c/o Bexar County Democratic Party

1844 Fredericksburg Road

San Antonio, Texas 78201

Michele Carey Garcia - michelegarcia64@gmail.com

c/o Bexar County Democratic Party

1844 Fredericksburg Road

San Antonio, Texas 78201

Adam Poncio- salaw@ponciolaw.com- delivered via email

A Professional corporation

5410 Fredericksburg Road # 109

San Antonio, Texas 78229

Automated Certificate of eService

This automated certificate of service was created by the efiling system. The filer served this document via email generated by the efiling system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

Envelope ID: 60136972 Status as of 12/17/2021 1:44 PM CST

Case Contacts

Name	BarNumber	Email	TimestampSubmitted	Status
Adam Poncio		aponcio@ponciolaw.com	12/17/2021 1:32:49 PM	SENT
Cathy Poncio		cponcio@ponciolaw.com	12/17/2021 1:32:49 PM	SENT
Angela Zepeda		angelazepeda@ponciolaw.com	12/17/2021 1:32:49 PM	SENT
Michele CareyGarcia		michelegarcia64@gmail.com	12/17/2021 1:32:49 PM	SENT
Albert Whitby		albertwhitby@gmail.com	12/17/2021 1:32:49 PM	SENT

σ

Item - 50 October 17, 2017 **District Attorney's Office**

FILED IN 4th COURT OF APPEALS SAN ANTONIO, TEXAS

12/17/2021 1:32:49 PM

The Court hereby ordered and approved a motion approving an Order Abolishing the Peace of Austice of the Peace in Bexar County Precinct 3, designated as Place 2 and an Order Abolishing the Office of Leastice of the Peace in Bexar County Justice Precinct 4, designated as Place 2, to be effective at the end of the day December 31, 2018 so that the incumbent Justices of the Peace in the Place 2 positions can serve out the remainder of their terms. (Record) ∞

A motion was presented by County Commissioner Sergio "Chico" Rodriguez, duly seconded by County Commissioner Paul Elizondo, which motion was voted on as follows: Commissioners Rodriguez, Elizondo, and Judge Wolff voting "Aye".



AGENDA COORDINATION FORM Bexar County Commissioners Court

tem (Choose one)	: Ceremonial	Speci	ial Prese	ntation		Time Certain	Consent	Individual	X
e/Department:	Commissioners	Court		Recipien	it Agen	ıcy/Individual N	ame:		
Ed Schweninger	Ph	one Number:	52141		Court	t Date Requested	i: <u>10/17/20</u>	17	
Schweninger	Ph	one Number:	52141		Dead	line for Action:	Before Nov	11 primary filing pe	eriod
								Two Written Orders	s
Audio/Visual Presentation: Y N X				ADA Assistance Required (type): Abolishing Offices					
Official/Department Head Signature:				-		act: V N			
	Ed Schweninger Schweninger	/Department: Commissioners Ed Schweninger Ph Schweninger Ph	Commissioners Court	Phone Number: 52141 Schweninger Phone Number: 52141 Y N X	Phone Number: 52141 Schweninger Phone Number: 52141 Y N X	Phone Number: 52141 Court Schweninger Phone Number: 52141 Dead Y N X ADA Smal	Commissioners Court Recipient Agency/Individual N	Phone Number: Send Phone Number: P	Phone Number: Sold Phone Number: Phone Number: Sold Phone Number: Phone Number: Sold Phone Number: Pho

CAPTION: Discussion and appropriate action regarding abolishment of the half-time positions in Justice Precincts 3 and 4 designated as "Justice of the Peace, Precinct 3, Place 2," and "Justice of the Peace, Precinct 4, Place 2" to be effective at the end of the day December 31, 2018 so that the incumbent Justices of the Peace in the Place 2 positions can serve out the remainder of their terms.

ESTIMATED PRESENTATION TIME:	10 Min	
------------------------------	--------	--

BACKGROUND: The Commissioners Court has conducted a workload analysis through its budget process over the past 2 years which has revealed a steady decline of incoming workload since 2013 in Bexar County Justice Precincts 2, 3 and 4. The Bexar County Commissioners Court now finds that halftime positions are unnecessary to assist in the handling of the incoming workload of Bexar County Justice of the Peace Precincts 2, 3 and 4. The incoming workload for Bexar County Justice Precincts 2, 3 and 4 has sufficiently declined so that the full-time Justices of the Peace in those Justice Precincts can handle all legal matters pending in each respective Justice Precinct without the need for assistance from the half-time Justices of the Peace. These matters have been discussed in public meetings over the past 2 years and public comment has been encouraged. The Bexar County Commissioners Court now finds it appropriate to abolish the half-time positions in Justice Precincts 3 and 4 designated as "Justice of the Peace, Precinct 3, Place 2," and "Justice of the Peace, Precinct 4, Place 2," to be effective at the end of the day December 31, 2018 so that the incumbent Justices of the Peace in the Place 2 positions can serve out the remainder of their terms.

RECOMMENDED MOTION:

Approval of an Order Abolishing the office of Justice of the Peace in Bexar County Precinct 3, designated as Place 2, and an Order Abolishing the Office of Justice of the Peace in Bexar County Justice Precinct 4, designated as Place 2, to be effective at the end of the day December 31, 2018 so that the incumbent Justices of the Peace in the Place 2 positions can serve out the remainder of their terms.

Item Number	:
	(for Comm Ct use only)

FISCAL ASSESSMENT:

1	Is this a revenue or expense	e? Revenue	Expense
2	Dollar amount of revenue or expense associated with item	1?	
3	Is this a budgeted revenue or expense	e? Yes	No
4	Does this item require additional staf	f? Yes	No
5	Will this increase your current budge	t? Yes	No
6	Impact on future Budget? If Yes, Explain in Comment	s. Yes	No
7	Current Expenditure Estimate	2?	
8	If an expense, what is the current Object Code budget amoun	t?	
9	If an expense, are sufficient funds currently budgeted in the Object Code		No
10	If an expense, are sufficient funds currently budgeted in the Appropriation		No
11	List impacted offices or departments or note if countywid	e:	
12	Fund numbe	er:	
13	Org numbe	r:	
14	Object Code number		
15	If this is a grant, what is the estimated amount of program income		
16	If this is a grant, what is the amount of Grantor funding		
7	If this is a grant, what is the required County cash match		
8	If this is a grant, what is the required County in-kind/allocation match		
9	If this is a grant, was item approved by the Grant Review Committee	∂?	
20	Comments:		
21	Coordinated by Verified By		

THE STATE OF TEXAS §
THE COUNTY OF BEXAR §

ORDER ABOLISHING THE OFFICE OF JUSTICE OF THE PEACE IN BEXAR COUNTY JUSTICE PRECINCT 3, DESIGNATED AS PLACE 2

WHEREAS, there are currently two Justices of the Peace in Bexar County Justice Precinct 3, denominated, respectively, Justice of the Peace, Precinct 3, Place 1, and Justice of the Peace, Precinct 3, Place 2;

WHEREAS, an additional Justice of the Peace position was created effective November 8, 2013 for the purpose of providing needed assistance for justice of the peace services in that justice precinct;

WHEREAS, there is currently a full-time Justice of the Peace in Bexar County Justice Precinct 3, designated Place 1, and the Justice of the Peace designated as Place 2 is a half-time position, according to the practice of Bexar County for such positions;

WHEREAS, the Commissioners Court conducted a workload analysis through its budget process which revealed a steady decline of incoming workload since 2013 in Bexar County Justice Precincts 2, 3 and 4;

WHEREAS, the Bexar County Commissioners Court now finds that half-time positions are unnecessary to assist in the handling of the incoming workload of Bexar County Justice of the Peace Precincts 2, 3 and 4;

WHEREAS, the incoming workload for Bexar County Justice Precincts 2, 3 and 4 has sufficiently declined so that the full-time Justices of the Peace in those Justice Precincts can handle all legal matters pending in each respective Justice Precinct without the need for assistance from the half-time Justices of the Peace;

WHEREAS, the Bexar County Commissioners Court finds it appropriate to abolish the half-time position of Justice of the Peace in Bexar County Justice Precinct 3, designated as "Justice of the Peace, Precinct 3, Place 2," effective at the end of the day December 31, 2018 so that the incumbent Justice of the Peace in the Place 2 position can serve out the remainder of his term of office; and

WHEREAS, the Commissioners Court of Bexar County finds this action is in the best interest of the citizens of Bexar County, and is for the convenience of the people.

NOW, THEREFORE, BE IT ORDERED BY THE COMMISSIONERS COURT OF BEXAR COUNTY, TEXAS:

A. That the Commissioners Court makes the various findings contained in the

recitations stated above, which are incorporated into this Order as legislative findings;

B. That the Bexar County Commissioners Court abolishes the half-time position of Justice of the Peace in Bexar County Justice Precinct 3, designated as "Justice of the Peace, Precinct 3, Place 2," effective at the end of the day December 31, 2018.

BE IT SO ORDERED.

erard C. Rigkhoff, County Clerk

be it so otherwes.
Adopted on this 17 day of October, 2017.
Nelson W Wolff, County Judge Sergio "Chico" Rodriguez, Commissioner, Precinct 1 Paul Richardo Paul Elizondo, Commissioner, Precinct 2 Kevin A. Wolff, Commissioner, Precinct 3
Tommy Calvert, Commissioner, Precinct 4

THE STATE OF TEXAS

888

THE COUNTY OF BEXAR

ORDER ABOLISHING THE OFFICE OF JUSTICE OF THE PEACE IN BEXAR COUNTY JUSTICE PRECINCT 4, DESIGNATED AS PLACE 2

WHEREAS, there are currently two Justices of the Peace in Bexar County Justice Precinct 4, denominated, respectively, Justice of the Peace, Precinct 4, Place 1, and Justice of the Peace, Precinct 4, Place 2;

WHEREAS, the Justice of the Peace, Precinct 4, Place 2 position was created effective November 8, 2013 for the purpose of providing needed assistance for justice of the peace services in that justice precinct;

WHEREAS, the need for additional assistance in 2013 in Justice Precinct 4 was caused by the redistribution of workloads among the justice precincts resulting from the redistricting of all Bexar County Justice Precincts which made changes to the justice precinct boundaries by conforming them to the commissioner precinct boundaries;

WHEREAS, the newly created Justice of the Peace, Precinct 4, Place 2 position was designated to be a half-time position, according to the practice of Bexar County for such positions;

WHEREAS, there is currently a full-time Justice of the Peace in Bexar County Justice Precinct 4, designated Place 1;

WHEREAS, the Commissioners Court conducted a workload analysis through its budget process which revealed a steady decline of incoming workload since 2013 in Bexar County Justice Precincts 2, 3 and 4;

WHEREAS, the Bexar County Commissioners Court now finds that half-time positions are unnecessary to assist in the handling of the incoming workload of Bexar County Justice of the Peace Precincts 2, 3 and 4;

WHEREAS, the incoming workload for Bexar County Justice Precincts 2, 3 and 4 has sufficiently declined so that the full-time Justices of the Peace in those Justice Precincts can handle all legal matters pending in each respective Justice Precinct without the need for assistance from half-time Justices of the Peace;

WHEREAS, the Bexar County Commissioners Court finds it appropriate to reconsider its action ordering the creation of an office of Justice of the Peace in Bexar County Justice Precinct 4, designated as "Justice of the Peace, Precinct 4, Place 2," and further finds that this office should now be abolished effective at the end of the day

December 31, 2018 so that the incumbent Justice of the Peace in the Place 2 position can serve out the remainder of her term of office; and

WHEREAS, the Commissioners Court of Bexar County finds this action is in the best interest of the citizens of Bexar County, and is for the convenience of the people.

NOW, THEREFORE, BE IT ORDERED BY THE COMMISSIONERS COURT OF BEXAR COUNTY, TEXAS:

- A. That the Commissioners Court makes the various findings contained in the recitations stated above, which are incorporated into this Order as legislative findings;
- **B.** That the Bexar County Commissioners Court having reconsidered its action ordering the creation of an office of Justice of the Peace in Bexar County Justice Precinct 4, designated as "Justice of the Peace, Precinct 4, Place 2," abolishes this office effective at the end of the day December 31, 2018.

BE IT SO ORDERED.

BE II SO OKDER	ED.
Adopted on this	day of October, 2017.
	BEXAR COUNTY, TEXAS Nelson W. Wolff, County Judge
	Sergio "Chico" Rodriguez, Dommissioner, Precinct I
	Paul Elizondo, Commissioner, Precinct 2
	Kevin M. Wolff, Commissioner, Precinct 3
	Tommy Calvert, Commissioner, Precinct 4
ATTEST:	

EXHIBIT "D"



Fourth Court of Appeals San Antonio, Texas

December 17, 2021

No. 04-21-00558-CV

IN RE Rogelio LOPEZ, Jr., Relator

Original Proceeding

ORDER

Sitting: Luz Elena D. Chapa, Justice

Beth Watkins, Justice Liza A. Rodriguez, Justice

On December 16, 2021, relator filed a petition for writ of mandamus. After considering the petition, the appendix, and the responses from respondent Monica Alcantara and real party in interest Michele Carey Garcia, this court concludes relator has not shown himself to be entitled to the relief sought. Accordingly, the petition for writ of mandamus is denied. *See* Tex. R. App. P. 52.8(a).

This court's opinion will issue at a later date.

It is so **ORDERED** on December 17, 2021.

PER CURIAM

ATTESTED TO:

HAEL A CRUZ Clerk of

EXHIBIT "E"

FILED 12/27/2021 3:19 PM Mary Angie Garcia Bexar County District Clerk Accepted By: Laura Castillo Bexar County - 225th District Court

	ZUZ	16120103
CAUSE NO.		
ROGELIO LOPEZ, JR,	§	IN THE DISTRICT COURT OF
Plaintiff	§	
	§	
VS.	§	BEXAR COUNTY, TEXAS
	§	
MONICA ALCANTARA,	§	
MICHELE CAREY GARCIA and	§	
ALBERT WHITBY,	§	
Defendants	§	JUDICIAL DISTRICT

20240126402

PLAINTIFF'S ORIGINAL PETITION AND APPLICATION FOR TEMPORARYRESTRAINING ORDER AND/OR TEMPORARY AND/OR PERMANENT INJUNCTION

TO THE HONORABLE JUDGE OF THE COURT:

Plaintiff, Rogelio Lopez, Jr. ("Lopez"), Presiding Judge of the Bexar County Justice of the Peace Court, Precinct 4, Place 1, complaining of Defendants Monica Alcantara ("Alcantara"), in her capacity as Chair of the Bexar County Democratic Party and as a representative of the Bexar County Democratic Party, Michele Carey Garcia ("Garcia") and Albert Whitby ("Whitby"), files this as his Original Petition and Application for Temporary Restraining Order and Temporary and Permanent Injunction, and in support thereof, respectfully state as follows:

I. DISCOVERY LEVEL

1. Plaintiff intends to conduct discovery under level three TEX. R. CIV. P. 190.1.

II. CLAIM FOR RELIEF

2. Plaintiff's cause of action is for injunctive relief to enjoin a violation of the Texas Election Code as permitted under § 273.081 of the Code. Plaintiff seeks no monetary relief and only nonmonetary relief.

III. PARTIES

- 3. Plaintiff Rogelio Lopez, Jr. serves as the Presiding Judge of the Bexar County Justice of the Peace Court, Precinct 4, Place 1 in Bexar County, Texas and has served for the last 12 years. Lopez is a resident of Bexar County, Texas. The last four digits of Plaintiff's Social Security Number are 5972 and the last three digits of his Texas Driver's License number are 878.
- 4. Defendant Monica Alcantara is a resident of Bexar County. Alcantara is sued herein in her capacity as the Chair of the Bexar County Democratic Party and as a representative of the Bexar County Democratic Party and can be served with process herein by delivering the citation and a copy of this pleading to her at 1844 Fredericksburg Road, San Antonio, Texas 78201, or any place she may be found. She and her counsel are also being served by email as follows: Monica Alcantara, monica@electmonica.com and info@bexardemocrat.org and attorney Martin Golando at martin.golando@gmail.com.
- 5. Defendant Michele Carey Garcia has applied to run in the 2022 Democratic Party primary for the Justice of the Peace, Precinct 4, Place 1 bench. She is a resident of Bexar County, Texas. Garcia is sued in her individual capacity and can be served

with process at her residence, 405 E Lindbergh, Universal City, Texas 78148, or wherever she may be found. Garcia is also being served by email as follows: Michele Carey Garcia - michelegarcia64@gmail.com

6. Defendant Albert Whitby has applied to run in the 2022 Democratic Party primary for the Justice of the Peace, Precinct 4, Place 1 bench. He is a resident of Bexar County, Texas. Whitby is sued in his individual capacity and can be served with process at his residence, 8503 Eagle Crest Blvd., Windcrest, Texas 78239, or wherever he may be found. Whitby is also being served by email as follows: Albert Whitby - albertwhitby@gmail.com

IV. JURISDICTION AND VENUE

- 7. This Court has jurisdiction pursuant to under § 273.081 of the Texas Election Code, which provides that a "person who is being harmed or is in danger of being harmed by a violation or threatened violation of this code is entitled to appropriate injunctive relief to prevent the violation from continuing or occurring." Texas Election Code § 273.081.
- 8. Venue properly lies in Bexar County, Texas, because a substantial part of the action forming the basis of Plaintiff's claims against Defendants occurred in Bexar County, Texas, and Defendants reside, are located, or conduct business in Bexar County.

V. FACTUAL BACKGROUND

- 9. This is a petition for injunctive relief requesting that Chairwoman Alcantara be compelled to fulfill her duties and obligation as Chair and on behalf of the Bexar County Democratic Party to reject the applications for office filed by candidate Whitby and/or candidate Garcia, as required by the Texas Election Code. The respective "Application for A Place on the General Primary Ballot" filed by each candidate is defective pursuant to the Texas Election Code, and accordingly must be rejected, as required by the Election Code. Each respective application fails to meet the requirements prescribed in the Texas Election Code.
- 10. The Application for candidate Whitby is defective pursuant to the Texas Election Code, and accordingly must be rejected. The Application fails to meet the requirements prescribed in the Texas Election Code. Mr. Whitby's application was accompanied by 39 pages of petitions, all of which list the candidate office as "Justice of the Peace, Precinct 4." All the petitions failed to include the place number as "Place 1." This is a defect in each of these petition pages, which renders each of them invalid. As the Democratic Party Chair and the designated filing authority, Alcantara must reject the application but has failed to do so, even though she was informed of the defects. The Election Code provides as much, providing "If an application does not comply with the applicable requirements, the authority *shall* reject the application...." TEX. ELEC. CODE § 141.032 (emphasis added).

In addition, as set out below, Whitby's petition contains signatures of

unregistered voters, lacks other required information, has voters included who reside outside the area at issue and/or contain duplicate signatures.

11. Similarly, candidate Garcia's "Application for a Place on the General Primary Ballot" filed on December 10, 2021, is defective pursuant to the Texas Election Code, and accordingly must also be rejected. The Garcia application lists the candidate office as "Justice of the Peace, Precinct 4" but failed to include the place number as "Place 1". As a result, the Democratic Party Chair and the designated filing authority must reject the application. The Application fails to meet the requirements prescribed in the Texas Election Code. Nevertheless, despite being informed of the defect, Alcantara has also failed to reject the Garcia application as required.

VI. GOVERNING LAW

- 12. With regard to both applications, section 141.031 of the Texas Election Code provides that: (a) A candidate's application for a place on the ballot that is required by this code must: (4) include: (c) the office sought, *including any place number or other distinguishing number* ... TEX. ELEC. CODE § 141.031 (emphasis added).
- 13. Applicable law establishes that the applications must be rejected. The Texas Supreme Court reviewed an identical case, and found that the failure to list the place number in each of the petition pages constituted a defect in each of those petition pages, which rendered all of those pages invalid. *See In re Francis*, 186 S.W.3d 534,

538 (Tex. 2006) (orig. proceeding) (omitting Place 8 constituted a "defect" and an "omission of the statutory requirements..."). Regarding the candidate's omission of "Place 8" on the petitions, the Texas Supreme Court went on to say:

"We agree that the omission of any statutorily required information on a petition renders signatures on that petition invalid. Section 172.027 of the Election Code says that a candidate's place number 'must appear at the top of each page of a petition.' Section 141.063(a)(4) says that a signature on a petition is invalid unless 'each statement that is required by this code . . . appears, at the time of signing, on the page on which the signature is entered.' As the Code requires a place number on each page, and declares invalid any signatures on pages without it, the trial court correctly concluded that all but 27 signatures from the district involved in this challenge are invalid." In re Francis, 186 S.W.3d 534, 538 (Tex. 2006).

Moreover, the court went on to say:

"We have strictly enforced mandatory statutory requirements for political candidacy in the past. See, e.g., Wallace v. Howell, 707 S.W.2d 876, 877 (Tex.1986) (disqualifying candidate who filed application for two judicial positions and conditioned withdrawal from one on qualification for the other); Painter v. Shaner, 667 S.W.2d 123, 125 (Tex. 1984) (noting "statutory mandates" should be "strictly construed"); Brown v. Walker, 377 S.W.2d 630, 632 (Tex.1964) (disqualifying candidate who mailed application by regular mail because applications sent before, but received after, the deadline must be sent via certified or registered mail); Canady v. Democratic Executive Comm. of Travis County, 381 S.W.2d 321, 324 (Tex.1964) (disqualifying candidate who listed his legal address as one outside the relevant precinct); Burroughs v. Lyles, 142 Tex. 704, 181 S.W.2d 570, 573 (1944)."

In re Francis, 186 S.W.3d 534, 538 at fn 15 (Tex. 2006).

- 14. The law is clear that because all 39 of Mr. Whitby's petitions lack the "Place 1" designation, all 39 pages are invalid. Accordingly, his application must be rejected.
- 15. Mr. Whitby's omission was not due to his lack of knowledge. He was clearly

aware that he was making an application for the Justice of the Peace Precinct 4, Place 1 position, as his "Application for a Place on the General Primary Ballot" clearly designates the office sought as "Bexar County Justice of the Peace Precinct 4, Place 1."

- 16. The Bexar County Elections Department clearly recognizes that these are two distinct offices for Justice of the Peace. Further, the ballot from the 2018 General Election also clearly identifies the office designation as the "Justice of the Peace, Precinct 4, Place 1."
- 17. Similarly, Garcia made the same error on her application. Her application should also be similarly rejected. "[C]andidates must bear ultimate responsibility for filing a proper application and petition." *In re Francis*, 186 S.W.3d 534 at 541 (Tex.2006) (orig. proceeding). Each candidate is responsible for the contents of their application. See Id. at 543 (holding that former argued availability of limited opportunity to cure "does not absolve candidates of the need for diligence and responsibility in their filings; party chairs must only notify them of defects, not do their work for them"); *see also Escobar v. Sutherland*, 917 S.W.2d 399, 405 (Tex. App. -- El Paso 1996, orig. proceeding) ("[I]n the end, it is the candidate who must insure that the application complies with established law. If the candidate does not, he is at risk of having his candidacy rejected; if not by the County Chair, then by the courts."); *Risner v. Harris Cnty. Republican Party*, 444 S.W.3d 327, 344-345 (Tex.

App. 2014).

- 18. Texas courts have used a simple distinction to determine who should suffer the consequences of failing to follow the election code. If the failure to comply with the election code is something within the candidate's control, as in the present case, the candidate is kept off the ballot. *In re Parsons*, 110 S.W.3d 15, 16 (Tex. App. -- Waco 2002, no pet.), citing Gibson, 960 S.W.2d at 421. The error in both of the applications involved herein were errors by the candidates, particularly because of their late filing as in the *Parsons* case. There is no contention the errors involved herein were that of an election official.
- 19. Under these facts, Chairwoman Alcantara has no choice but to reject the applications, as her duty is both mandatory and ministerial, but she has failed to do so. The Texas Supreme Court has emphasized that the sections of the Election Code dealing with candidacy for political office are mandatory and are to be strictly enforced. *Wallace v. Howell*, 707 S.W.2d 876, 877 (Tex. 1986) (orig. proceeding). "The party chair's duty to determine whether an application for a place on the ballot complies with the statutory requirements is ministerial." *In re Triantaphyllis*, 68 S.W.3d 861, 869 (Tex. App. -- Houston [14th Dist.] 2002, orig. proceeding). The Texas Supreme Court has further made it clear that "[i]f a candidate's application does not comply with the Code's requirements, the party chair has no discretion but to reject the application and remove the candidate's name from the candidate list.

TEX. ELEC. CODE §§ 141.032(e), 172.029(d); *Escobar v. Sutherland*, 917 S.W.2d 399 at 406 (Tex. Civ. App.-- El Paso 1996, orig. proceeding); *In re Gamble*, 71 S.W.3d 313 (Tex. 2002). Thus, under both the Election Code and the Texas Supreme Court's Page -9- interpretation of the Code, Chairwoman Alcantara, as the Chair of the Bexar County Democratic Party must reject Mr. Whitby's and Ms. Garcia's application.

- 20. Moreover, should Chairwoman Alcantara determine that she should, as the Democratic Party Chair, wish to afford an opportunity for cure, she has no authority to accept an amended application after the filing deadline. The Texas Election Code, § 172.0222 provides that: (I) After the filing deadline: (1) a candidate may not amend an application filed under Section 172.021; and (2) the authority with whom the application is filed may not accept an amendment to an application filed under Section 172.021. Tex. Election Code Sec. 172.0222 The Election Code prohibits amendments or corrections after the filing deadline
- 21. Borrowing largely from the opinion in *Risner v. Harris County Republican Party*, 444 S.W.3d 327 (Tex. App. -- Houston [1st Dist.] 2014, no pet.), it is clear the Chairwoman and/or any court may not allow for the correction or amendment of any application; they must be rejected. As set out, prior to 2011, the Texas Election Code neither specifically authorized nor specifically prohibited amendments to applications for positions on a ballot after the filing deadline for such applications.

Instead, the Code merely required that a candidate's application "be timely filed with the appropriate authority." TEX. ELEC. CODE Ann. § 141.031(a)(3). The Code further required a party chair to review the application within either five days or "as soon as practicable," to reject any non-compliant application, and to immediately notify the candidate of the reason for the rejection. Id. § 141.032(a), (b), (c), (e). 22. In In re Gamble, In re Francis, and In re Holcomb, the Texas Supreme Court construed the statutory provisions, in conjunction with the statutory authorization in Texas Election Code section 273.081 to grant equitable relief to persons being harmed by violations of the code, to authorize courts to grant equitable relief and to allow a candidate whose application contained facial defects to cure his or her defective application after the filing deadline when the party chair failed to fulfill his or her statutory obligation to timely review the application and notify the candidate of the defects. See In re Holcomb, 186 S.W.3d 553, 555 (Tex.2006) (orig. proceeding); *In re Francis*, 186 S.W.3d 534, 541-43 (Tex.2006) (orig. proceeding); *In re Gamble*, 71 S.W.3d at 317-19. The supreme court further stated, however, that such "candidates should have the same opportunity to cure as they would have had before the deadline passed." In re Holcomb, 186 S.W.3d at 555 (emphasis added); see In re Francis, 186 S.W.3d at 541, 542 ("Candidates should have the same opportunity to cure as a proper review before the filing deadline would have allowed them"; stating that code allows "party chairs to focus on facial defects and call for correction before the filing deadline"; *In re Gamble*, 71 S.W.3d at 318 ("There would be no purpose to the duty to notify the prospective candidate of defects in his or her application if the intent was not to allow an opportunity to cure those defects, particularly if the defects can be corrected before the filing deadline"; "under limited circumstances, statutory deadlines may be extended to correct an official's violation of a statutory duty"; and denying relief because "[t]here was no court decision entitling Judge Gamble to amend his application after the statutory deadline"). Consequently, the Election "Code and well-established Texas law" did not, in the absence of a court order, "permit a party officer to allow a candidate who filed a defective application before the filing deadline to amend his application after the deadline so the party chair can place the candidate on the ballot." *In re Gamble*, 71 S.W.3d at 319 (Baker, J., concurring).

- 23. In 2011, however, the legislature amended section 141.032 of the Election Code by adding Subsection (g), to state that "a candidate may not amend an application filed under Section 141.031" and "the authority with whom the application is filed may not accept an amendment to an application filed under Section 141.031" after the filing deadline. *See* Act of May 19, 2011, 82d Leg., R.S., ch. 254, § 1, 2011 Tex. Gen. Laws 834, 834 (codified at Tex. Elec. Code Ann. § 141.032(g)).
- 24. When construing a statute, the court's ultimate goal is to effectuate legislative

intent. See Fresh Coat, Inc. v. K-2, Inc., 318 S.W.3d 893, 901 (Tex.2010); Marks v. St. Luke's Episcopal Hosp., 319 S.W.3d 658, 663 (Tex.2010). Under the plain meaning rule, the court reviews the text of the statute, and must determine the legislature's intent from the plain meaning of the words chosen "unless there is an obvious error such as a typographical one that resulted in the omission of a word or application of the literal language of a legislative enactment would produce an absurd result." Fleming Foods of Tex., Inc. v. Rylander, 6 S.W.3d 278, 284 (Tex.1999) (internal citations omitted); see also Tex. Gov't Code Ann. § 311.011(a) (West 2013); Fresh Coat, Inc., 318 S.W.3d at 901; Cornyn v. Universe Life Ins. Co., 988 S.W.2d 376, 378-79 (Tex. App. -- Austin 1999, pet. denied).

25. After the 2011 amendments, the express, unambiguous terms of section 141.032(g) of the Election Code prohibits a candidate from amending an application after the filing deadline and prohibits a party chair from accepting such an amendment. *See* Tex. Elec. Code Ann. § 141.032(g); Tex. Gov't Code Ann. § 311.016(5) (West 2013) (" 'May not' imposes a prohibition and is synonymous with 'shall not.' "). The statute does not contain an obvious error, and application of the literal language of the statute does not produce an absurd result. *See Fleming*, 6 S.W.3d at 284. Moreover, in the context of the Election Code, the meaning of the statute is clear: a candidate's application must be timely filed with the appropriate authority by the filing deadline and a candidate may only amend the application

during the time period in which the candidate is allowed to file a new petition. See TEX. ELEC. CODE Ann. § 141.031(a)(3) (requiring candidate to timely file application), § 141.032(a), (e), (g) (requiring authority with whom application is filed to review application for compliance with procedures, including timeliness of filing, requiring application not timely filed to be rejected, and prohibiting amendments to application after filing deadline). Therefore, the meaning of the statute-candidates are prohibited from filing, and party chairs are prohibited from accepting, amendments to applications after the filing deadline-is clear, and the court may not disregard the express terms of the statute. *See Gonzalez v. Guilbot*, 315 S.W.3d 533, 541 (Tex.2010) ("Our chief aim is to determine and give effect to the Legislature's intent, and where the statutory language is straightforward, it is determinative."); *Fleming*, 6 S.W.3d at 284.

26. The plain meaning of the statute is unambiguous, the legislature intended to change the law, and the legislature enacted subsection 141.032(g) with the intent to prohibit a candidate from filing, and the authority with whom an application is filed from accepting, an amended application for a place on the ballot after the statutory filing deadline. As a result, the court must construe subsection 141.032(g) to prohibit the trial court or Chairwoman in this case from granting a candidate an opportunity to file an amended application and from requiring a party chair to accept an amended application after the filing deadline. *See In re Wilson*, 421 S.W.3d 686, 689 (Tex.

- App. Fort Worth 2014, orig. proceeding) (denying petition for writ of mandamus to compel chair of Tarrant County Democratic Party to include candidate's name on ballot and stating that "it appears that the legislature has foreclosed the opportunity to cure any defects in an application or petition discovered after the filing deadline").
- 27. The statutes and the caselaw are clear that in this case, Chairwoman Alcantara, as the Bexar County Democratic Chair, has a mandatory and ministerial duty to reject Whitby's and Garcia's applications and must refrain from allowing and/or providing for correction or amendment of the submitted applications.
- 28. Counsel for Chairwoman Alcantara has acknowledged the defects in the Petitions. (see attached Petition for Mandamus Response at Exhibit 6)/ He further indicated that Plaintiff's request for relief in the Fourth Court of Appeals was premature. He acknowledged that once the statutory time permitted for the Chairwoman to review the applications had passed, that the applications would likely have been rejected. As a result, it is believed it was the basis the mandamus was rejected by the Fourth Court of Appeals. The applicable time has passed, and Chairwoman Alcantara has failed to comply with her mandatory and ministerial duty, which has necessitated the further bringing of this action.

VII. ADDITIONAL GROUNDS FOR REJECTING WHITBY'S APPLICATION

29. Setting aside the defects outlined above, Mr. Whitby's application fails to be supported by the required number of valid signatures, based on several defects as

discussed further below. Specifically, the Texas Election Code provides that a candidate filing "for justice of the peace in a county with a population of more than 1.5 million, who chooses to pay the filing fee must also accompany the application with a petition ... the minimum number of signatures that must appear on the petition required by this subsection is 250." Tex. Election Code Sec. 172.021.

30. In addition to the defect discussed regarding the omission of the "Place 1" designation on all of Whitby's Petitions, the 39 pages of petitions have 168 defective signatures which cannot be used support his application. After reviewing the defective signatures, of the 337 total signatures submitted by Whitby, only 169 valid signatures remain. Accordingly, Whitby has failed to provide the minimum number of signatures required by the election code to support his application for the Democratic Primary. The issue was squarely presented to Alcantara by letter, with included attachments (See Attached Exhibit 7). Again, however, Alcantara has failed to take any action. These defects fall into six categories described herein.

31. First Defective Category: Signatures by an Unregistered Voter

To be a valid signature, the signer must be a registered voter. The Texas election code provides as follows:

"§ 141.063. Validity Of Signature

(a) A signature on a petition is valid if:

(1)... the signer, at the time of signing, *is a registered voter* of the territory from which the office sought is elected..."

Tex. Election Code Sec. 141.063 (emphasis added).

32. Whitby's petitions contain 59 signatures from unregistered voters. All 59 of these signatures are invalid under the provisions of the Texas Election code and cannot support his application for the ballot.

33. Second Defective Category: Signatures by Voters Residing Outside of Bexar County Precinct 4

To be a valid signature, the signer must not only be a registered voter, but the signer must also reside in Bexar County Precinct 4. The Texas election code provides as follows:

- "§ 141.063. Validity Of Signature
- (a) A signature on a petition is valid if:
 - (1) ... the signer, at the time of signing, is a registered voter of the territory from which the office sought is elected..."

Tex. Election Code Sec. 141.063 (emphasis added).

34. Whitby's petitions contain 50 signatures from voters who do not reside in Precinct 4. All 50 of these signatures are invalid under the provisions of the Texas Election code and cannot support his application for the ballot.

35. <u>Third Defective Category: Petition Signatures Must Provide Either a</u> <u>Date of Birth or a Voter Identification Number</u>

To be a valid signature, the signer's information on the petition must include *either* the date of birth, *or* the voter identification number. The Texas election code provides as follows:

- "§ 141.063. Validity Of Signature
- (a) A signature on a petition is valid if:
 - (2) the petition includes the following information with respect to each signer:
 - (A) the signer's residence address;
 - (B) the signer's date of birth or the signer's voter registration number..."

Tex. Election Code Sec. 141.063 (emphasis added).

36. Whitby's petitions contain 19 signatures which *fail to include both the date* of birth and the voter identification number. All 19 of these signatures are invalid under the provisions of the Texas Election code and cannot support his application for the ballot.

37. Fourth Defective Category: Duplicate Signatures

To be a valid signature, a candidate may have a registered voter sign a petition *only once*. To rule otherwise, would mean that one registered voter could sign a candidates petition 250 times to achieve the required number of signatures.

38. Whitby's application has 4 duplicate signatures, including one registered voter who signed the petition three times. All 4 of these signatures are invalid and cannot support his application for the ballot.

39. <u>Fifth Defective Category: Signatures on Lopez Application Which Later Appear on Whitby Application Are Invalid as to Whitby</u>

A registered voter may only sign one candidate's petition. Once a registered voter signed the Lopez petitions, that signer's later signature on the Whitby petition is invalid. The Texas election code provides as follows:

- "§ 141.066. Signing More Than One Petition Prohibited
- (a) A person may not sign the petition of more than one candidate for the same office in the same election.
- (c) A signature on a candidate's petition is invalid if the signer signed the petition subsequent to signing a petition of another candidate for the same office in the same election.

Tex. Election Code Sec. 141.066 (emphasis added).

- 40. Whitby's petitions contain 3 signatures which were signed subsequent to the same signatures having been signed on the Lopez petitions. All 3 of these signatures are invalid under the provisions of the Texas Election code and cannot support his application for the ballot.
- 41. <u>Sixth Defective Category: Signatures Obtained Prior to Filing of Whitby Treasurer's Designation are Invalid</u>

Whitby filed an "Appointment of a Campaign Treasurer by a Candidate" form as required by the Texas Election Code.¹

His appointment took effect on December 9, 2021, the date which it was filed.² A candidate, such as Whitby, may not engage in any political activity until a campaign treasurer appointment has been filed.³ A person who violates this section of the Election Code commits an offense which is punishable as a Class A misdemeanor.⁴

42. Whitby submitted 33 petition signatures which were obtained prior to his filing of a campaign treasurer appointment. All 33 petition signatures obtained prior to the filing of the treasurer appointment constitute impermissible campaign activity. As such, petitions which pre-date the filing of the campaign treasurer appointment are legally invalid and must be rejected.

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¹ "APPOINTMENT OF CAMPAIGN TREASURER REQUIRED. Each candidate and each political committee shall appoint a campaign treasurer as provided by this chapter." **Texas Election Code Section** 252.001.

² "TIME APPOINTMENT TAKES EFFECT; PERIOD OF EFFECTIVENESS. (a) A campaign treasurer appointment takes effect at the time it is filed with the authority specified by this chapter." **Texas Election Code Section 252.011**

³ "§22.1. Certain Campaign Treasurer Appointments Required before Political Activity Begins

⁽a) An individual must file a campaign treasurer appointment with the proper authority before accepting a campaign contribution or making or authorizing a campaign expenditure." Texas Ethics Commission Rules, Chapter 22, Restrictions on Contributions and Expenditures; see also

[&]quot;§ 253.031. Contribution And Expenditure Without Campaign Treasurer Prohibited

⁽a) A candidate may not knowingly accept a campaign contribution or make or authorize a campaign expenditure at a time when a campaign treasurer appointment for the candidate is not in effect." **Tex. Election Code Sec. 253.031.**

⁴ Texas Election Code Section 253.031(f).

43. A contribution is defined to include "a direct or indirect transfer of money, goods, services, *or any other thing of value*." ⁵ While a signature by itself is not a "political contribution," both a Federal Court and the Texas Ethics Commission have found that gathering signatures on petition forms does in fact constitute a political contribution and/or expenditure. In support of this proposition, the Federal Court for the Southern District of Texas quoted the Texas Ethics Commission as follows:

"Tex. Ethics Comm'n, Ethics Advisory Op. No. 262 (1995) [No. 511 (2013)] (discussing whether a signature on a petition constitutes a thing of value and concluding that '[a] signature on a candidate's petition for a place on the ballot does not, by itself, constitute a transfer of a thing of value to the candidate and is not a political contribution' but that 'any goods or services that are used or provided to obtain a signature on a candidate's petition, such as paper or personal services, would constitute a political contribution to the candidate')." Joint Heirs Fellowship Church v. Ashley, 45 F.Supp.3d 597, 636 (S.D.Tex.2014) aff'd sub nom., 629 Fed. App. 627 (5th Cir.2015) (emphasis added).

44. Any petition forms used by Whitby, prior to the filing of his treasurer appointment are illegal as they are the result of impermissible campaign contributions and/or expenditures. Texas Courts considering this issue have specifically found as much:

"...when, as here, [a party] ... fails to adhere to statutes set forth in the State Election Code by illegally procuring petitions in violation of those statutes, the illegally procured petitions are invalid from their inception." ⁶

⁵ **Texas Election Code Section** 251.001(2) (emphasis added).

⁶ Cook v. Tom Brown Ministries, 385 S.W.3d 592, 606 (Tex. App.—El Paso 2012, pet. denied).

In considering this issue, the reviewing appellate court found that the petitions involved were *illegal from their inception* because at the time the petitions were collected, there was no designated campaign treasurer. Accordingly, all petition signatures obtained by Whitby before the filing of his treasurer appointment are invalid and may not be used to support his application for the ballot.

Whitby filed his application for ballot accompanied by petitions including a 45. total of 337 signatures. Removing the six categories of defective signatures, as this honorable Court must, Whitby's application is left with only 169 valid signatures. As this number is less that the 250 statutorily required minimum number of signatures, Whitby's application for the Democratic Primary Ballot must be rejected.

VIII. REQUEST FOR INJUNCTIVE RELIEF

46. Plaintiff Rogelio Lopez will be severely and irreparably harmed if Garcia's and Whitby's names appear on the primary ballot for March 1, 2022, as neither has met the Texas law requirements to be placed on the ballot as a candidate for the office of Justice of the Peace, Precinct 4, Place 1. The unlawful actions of the Defendants and/or failure of Chairwoman Alcantara to perform her duties will cause Plaintiff to be opposed by persons who have not filed proper applications and who are not eligible to have their names on the ballot, and Plaintiff will have no adequate

⁷ *Id*.

remedy at law to redress the wrong in question. Moreover, the inclusion of their names on the ballot will cause irreparable harm by allowing for the vote for a candidate who may be otherwise ineligible, affecting the outcome for those candidates who may be legitimately included on the ballot.

47. In light of the foregoing, Plaintiff requests this Court to issue a Temporary Restraining Order, and, after notice and hearing, a Temporary Injunction and Permanent Injunction, enjoining and restraining Alcantara from placing both Garcia and Whitby on the Democratic primary ballot, and certifying either name for the election as the democratic nominee for the office of Justice of the Peace, Precinct 4, Place 1 as both applications are invalid. Alternatively Plaintiff requests this Court issue a Temporary Restraining Order, and, after notice and hearing, a Temporary Injunction and Permanent Injunction, enjoining and restraining Alcantara and/or ordering Alcantara to perform her duties as Bexar County Democratic Chairwoman to reject one or both of the Garcia and/or Whitby applications and/or petitions seeking to place the names of Garcia and/or Whitby on the Democratic primary ballot for the office of Justice of the Peace, Precinct 4, Place 1. If and to the extent Alcantara has already certified either Garcia or Whitby to appear on said ballot, Plaintiff requests that Alcantara be ordered to withdraw said certification whether made to the Bexar County Elections Department for printing of the ballots, to the Texas Secretary of State or otherwise. Plaintiff also requests this Court enjoin

Alcantara from approving the "final proof" of the ballot including any of the named defendants.

- 48. Plaintiff is likely to succeed on the merits of this lawsuit because the applications submitted by both defendants are defective as a matter of law.
- 49. The harm to Plaintiff is imminent because the Democratic Chair, Monica Alcantara, has abrogated her duties and must be compelled to act before the Democratic Primary Ballots are to be printed on January 13, 2022.
- 50. This imminent harm will cause Plaintiff irreparable injury in that Plaintiff will have to face two opponents who would be on the ballot in violation of the Texas Election Code.
- 51. There is no adequate remedy at law which will give Plaintiff complete, final, and equal relief, unless the legally invalid applications are rejected.

IX.

52. A bona fide issue exists as to Plaintiffs' rights to ultimate relief and Plaintiffs would request a temporary restraining order and injunction regarding same pending resolution of this litigation.

X.

REQUEST FOR DECLARATORY RELIEF

53. Plaintiff asks this Court to declare his rights and status and the rights and status of the Defendants in this matter, including the obligations of Chairwoman Alcantara

and the qualification and/or disqualification of Defendants Whitby and/or Garcia, pursuant to the Election Code.

54. A declaratory judgment is appropriate where there is a justiciable controversy about the rights and status of the parties, and the declaration would resolve the controversy. *Bonham State Bank v. Beadle*, 907 S.W.3d 465, 467 (Tex. 1995). Additionally the controversy must be real and substantial involving genuine conflict of tangible interests and not merely a theoretical dispute. *Id*.

XI. PRAYER FOR RELIEF

- 55. WHEREFORE, Plaintiff respectfully prays that this Court
 - a. Cite Defendants to appear herein.
- b. That the Court issue a temporary restraining order directing that Alcantara take all steps necessary to prevent the printing of the ballots for the office of Justice of the Peace, Precinct 4, Place 1, including withdrawing any certification or request she has made for printing of said ballots until the Court can conduct a hearing regarding and rule on plaintiff's request for the Temporary and/or Permanent Injunction sought by this Petition.
- c. If Alcantara has previously certified the names of either Garcia or Whitby to appear on the 2022 Democratic Party primary to the Bexar County Elections Department, to the Secretary of State, or to any other person or entity, that she be temporarily restrained and enjoined from certifying and/or ordered to

withdraw such prior certification and not recertify any of those names or allow those names to appear on the ballot for that office until the Court rules on the temporary and permanent injunctions sought herein.

d. That the Court issue a temporary restraining order requiring all persons or entities responsible for printing said ballots to delay the printing thereof until the Court rules on the temporary and permanent injunctions sought herein and for any request for declaratory relief; and further, Plaintiff prays for such other and further relief, both at law and in equity, to which he may show himself justly entitled.

Respectfully submitted,

PONCIO LAW OFFICES

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Telephone: (210) 212-7979 Facsimile: (210) 212-5880

BY: /s/ Adam Poncio
Adam Poncio
State Bar No. 16109800
aponcio@ponciolaw.com

LAW OFFICES OF ROGELIO LOPEZ, P.C.

1543 W. Summit San Antonio, Texas 78201 Telephone: (210) 736-4400 Facsimile: (210) 736-4404

BY: /s/ Rogelio Lopez
Rogelio Lopez
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rogerlopez@rlopezlaw.com

ATTORNEYS FOR PLAINTIFF

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Angela Zepeda on behalf of Adam Poncio Bar No. 16109800 angelazepeda@ponciolaw.com Envelope ID: 60315650 Status as of 12/27/2021 3:44 PM CST

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Monica Alcantara		info@bexardemocrat.org	12/27/2021 3:19:03 PM	SENT

EXHIBIT "F"

Bexar County Democratic Party

✓ Voter Registration Status Verified

Signature of Chair or Designee

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EXHIBIT "G"

AFFIDAVIT OF MICHELE GARCIA

STATE OF TEXAS

Ş

COUNTY OF BEXAR

§ 8

Before me, the undersigned notary, on this day personally appeared Michele Garcia, a person whose identity is known to me. After being by me duly cautioned to tell the truth, subject to the penalties for perjury, she did affirm and testify to the best of her knowledge and belief as follows:

"My name is MICHELE GARCIA. I am over 18 years of age, of sound mind and capable of making this affidavit. I have personal knowledge of the facts stated herein, and they are true and correct.

On October 21, 2021, I, Michele Garcia, officially filed my Treasurer with the Bexar County Democratic Party and begin collecting signatures for my campaign. After collecting the mandatory 250 signatures, I then filed my official application for candidacy. On December 10, 2021, I went into the Bexar County Democratic Party office not knowing I needed to have my application for a place on the General Primary Ballot prefilled. The Bexar County Democratic Party offered to fill my application out, I then reviewed the application, swore to it and signed it and officially filed it with the Bexar County Democratic Party County Chair.

As far as I knew, everything was fine as my application was accepted. However, I was shocked to be served with a Petition for an Emergency Hearing on a Writ of Mandamus filed by Rogelio Lopez Jr., on December 16, 2021 at 12:00 pm and had less than 12 hours to response to the Fourth Court of Appeals by 10:00 am the next day (December 17, 2021). I timely submitted my response to the Fourth Court of Appeals on December 17, 2021, explaining that there was only one office for Justice of the Peace in Precinct 4 and that Place 2 had been eliminated and attached exhibits showing the elimination of all the other places in Precinct 4 leaving only one possible Justice of the Peace office. I firmly believe that there is no confusion as there is only one Justice of the Peace office in Precinct 4 and there could be only one office sought in that precinct for the Justice of the Peace position. That same day I received a decision that the Fourth Court of Appeals denied Rogelio Lopez, Jr.'s Petition for Mandamus.

I was satisfied that this issue was over, however, on December 27, 2021, I was served with a notice of hearing, vin email, for Plaintiff's Application for Temporary Injunction. The hearing was set for January 4, 2022 at 9:00 am in Presiding District Court. On January 4, 2022, the case was reset for the following day, January 5, 2022 at 1:30 pm. On January 6, 2022 at 1:30 pm the trial court issued a Permanent Injunction, removing my name from the ballot.

At this point I have nowhere left to turn as the Permanent Injunction will effectively block my name from being submitted on the ballot for the only office of the Justice of the Peace in Precinct 4. I am left with no choice but to file this case with the Fourth Court of Appeals as there is no time to sit and wait for the trial court to issue its formal permanent injunction and then attempt to appeal that decision as the mail in ballots will be printed by January 13, 2022 and mailed by January 15, 2022."

Further affiant sayeth not."

SWORN TO and SUBSCRIBED BEFORE ME by MICHELE GARCIA on this the 4th day of January, 2022.

MISTY SPEARS
Notary Public, State of Texas
Comm. Expires 05-23-2024
Notary ID 126873363

NOTARY PUBLIC, State of Texas

Notary Expires: 9-26-2024

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Arturo Martinez de Vara on behalf of Adrian Spears Bar No. 24049318 martinezdevara@gmail.com Envelope ID: 60641656

Status as of 1/10/2022 8:42 AM CST

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Associated Case Party: Monica Alcantara

Name	BarNumber	Email	TimestampSubmitted	Status
Monica Alcantara		chair@bexardemocrat.org	1/10/2022 1:49:11 AM	SENT
Martin Golando	24059153	martin.golando@gmail.com	1/10/2022 1:49:11 AM	SENT

Associated Case Party: Rogelio Lopez

Name	Name	
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Automated Certificate of eService

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Arturo Martinez de Vara on behalf of Adrian Spears Bar No. 24049318 martinezdevara@gmail.com Envelope ID: 60641656

Status as of 1/10/2022 8:42 AM CST

Associated Case Party: Rogelio Lopez

Adam Poncio	16109800	salaw@msn.com	1/10/2022 1:49:11 AM	SENT
Rogelio Lopez, Jr.		judgerogerlopez@gmail.com	1/10/2022 1:49:11 AM	SENT
Adam Poncio		aponcio@poniciolaw.com	1/10/2022 1:49:11 AM	SENT

Associated Case Party: Hon. John Gabriel

Name	BarNumber	Email	TimestampSubmitted	Status
Hon. John Gabriel, Jr.		gabrielmediation@gmail.com	1/10/2022 1:49:11 AM	SENT